

# 200 ETHICS & INTEGRITY CASE STUDIES with DISCUSSIONS for UPSC CIVIL SERVICES MAIN

**GENERAL STUDIES PAPER 4 MAIN EXAM**

- Collection of 200 Case Studies from Polity, Economy, Social & Ecology
- Detailed Discussion for each Case study
- Very useful for Essay & Mains Answer Writing

**AJIT KUMAR JHA**

**Must have for UPSC & State PSC Exams**





# **200 ETHICS**

**& INTEGRITY CASE STUDIES**  
with DISCUSSIONS for  
**UPSC CIVIL SERVICES MAIN**

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Corporate  
Office

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## PREFACE

Ethics is one of the main branches of philosophy. Its range, extending from fundamental questions about the nature of our humanity and freedom to very practical questions about the morality of physician-assisted suicide and experiments on animals, is vast. In the study of ethics, understanding of Case Studies in the forms of ethical approach and ethical dilemmas and their solutions is highly critical.

GS Paper IV in the Civil Services Exam focuses exclusively on Ethics with its very wide coverage. It is important to read the theoretical aspects of Ethics but it is even more important to handle the practical ethical challenges. This is evident from the nature of questions in the Civil Services exam in this paper. If you notice the trend of this paper over the last few years, it will clear that there has been an increasingly more focus on Case Studies. Almost 50% of the questions are based on Case Studies.

While there are specific Case Studies based questions in the exam for which this book may be found highly useful, the familiarity with Case Studies might also help you in handling theoretical questions.

This book with more than 200 ethical Case Studies from multiple topics and perspectives is designed to instill confidence and develop the skills to handle ethical Case Studies successfully in the actual exam. However, it must be understood that there is no single and unique answer to a Case Study question. Each question is designed to test your ethical thinking approach. As a general rule doing something repeatedly takes you towards perfection. The purpose of this book is served best when you also practice Answer Writing along with reading the book. Although ethical theories are important benchmarks in ethical decision making, you are not expected to write the theories while answering the questions on Case Studies. Therefore, these Case Studies and their answers do not delve into ethical theories. You only need to convince the examiner that you can think ethically in your decision making, for which this book will be found highly useful.

It is hoped that this book will be found highly useful as a compendium to the theoretical book on ethics for the civil services aspirants.

**Best of Luck**  
**Ajit Kumar Jha**

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## CASE STUDIES ON ETHICAL DILEMMA

### **What are case studies on Ethical Dilemma and how to solve them**

*In the following pages, you will find comprehensive study material for civil services exam including 152 ethical case studies (101+51). You will learn about ways to look and study the problems and how to solve them. There is no right or wrong answer in solving cases on ethical dilemma. However, your thought process, logic of your arguments and the ethical principles you use in solving the cases are important. For the purpose of civil services exam, it is not required to extensively study the ethical and philosophical principles. However, if you know these principles, it helps to answer questions based on these principles. Nevertheless, Ethics is something we broadly understand. We all know what is right or wrong. In the cases of dilemma, we do not know what the right approach is. In these cases, we may use the principles to guide us. But, the existentialist philosophers believe that sometimes the principles also do not provide a clear guideline. In these cases, your conscience is important because according to these philosophers man is ultimately free and free to choose. Here is an example from Jean Paul Sartre, the existentialist philosopher. The “dilemma is mother or the motherland”. A young military soldier is called by the nation to fight against the enemy as the nation is threatened with a war. However, he has a sick and ailing mother, who is dying and there is no one else in the family. The mother needs the son in her last moments. The nation needs the soldier to fight the war. What should he do? Some of us would say, he should serve the nation. The others would say that he should serve the dying old mother. There*



*is no right or wrong answer in this case. However, how you defend the position you have taken is important. In other words, you should be able to justify your stand. In civil services exam it is not essential to cite ethical theories to justify your answer but just in case you do, it will help you to strengthen your case. For instance, if you say that the soldier should serve the nation based on the utilitarian principle of maximum happiness to maximum number, or the larger cause; you can defend your answer better. On the other hand, if you take the position that the soldier should serve his mother; you may justify it on the Kantian principle of categorical imperative that your action should apply to everyone as you are legislating and at the same time, you are also providing a balanced answer. However, you can also defend your answer logically without taking recourse to principle by claiming that you will serve the mother because she caused you your birth and you have the first responsibility towards your mother.*

Case studies are a standard method of teaching for philosophy, law, and to a lesser extent, the social sciences. An ethical case study is a specific story, usually based on true events, which presents an ethical dilemma. Dilemmas are problems which do not have solutions based on facts; rather they call upon principles, general rules of morality and ethics which guide actions. Philosophical ethics is the study of these principles.

The goal of philosophical ethics is not finding “correct solutions”, it is identifying clear thinking and the implications of clear thinking for behaviour. Clear thinking is a meta-skill, a skill that applies to almost all other skills. Like other skills, clear thinking requires learning, practice, discipline, and direct experience. We learn clear thinking when faced with relevant personal decisions that do not have clean answers but do have direct consequences. The objective

of philosophical debate is not to change a person's mind; rather it is to identify the assumptions underlying a position and the quality of thought which supports that position.

You may already have noticed that discussions of philosophical ethics are branchy, the ideas lead quickly from one to another and it is easy to lose the focus of conversation. One role of the case study is to help focus discussion. Philosophical ethics is also deep, answers and intentions are difficult to identify; often requiring extensive analysis, self-observation, and argumentation.

### **Ground Rules for Discussion of Ethics and Ethical Dilemma**

1. The reasoning which leads to an opinion is important, not the opinion itself.
2. When discussing a case study, do not change the circumstances or the story of the study.
3. Apply structured techniques to formulate and clarify thinking.
4. Identify the ethical component of an issue (what part of a dilemma requires an ethical approach?)
5. Distinguish between positive arguments (do this) and negative arguments (don't do this).
6. Distinguish between personal and professional ethical positions.
7. Distinguish between the requirements of logic, of law, of institutional policy, of personal preference, of social convention, and of ethics.

### **Essential Steps for Ethical Problem Solving**

1. DETERMINE whether there is an ethical issue or/and dilemma. Is there a conflict of values, or rights, or professional responsibilities? (For example, there may be an issue of self-determination of an adolescent versus the well-being of the family.)

2. IDENTIFY the key values and principles involved. What meanings and limitations are typically attached to these competing values? (For example, rarely is confidential information held in absolute secrecy; however, typically decisions about access by third parties to sensitive content should be contracted with clients.)
3. RANK the values or ethical principles which - in your professional judgement - are most relevant to the issue or dilemma. What reasons can you provide for prioritizing one competing value/principle over another? (For example, your client's right to choose a beneficial course of action could bring hardship or harm to others who would be affected.)
4. DEVELOP an action plan that is consistent with the ethical priorities that have been determined as central to the dilemma. Have you conferred with clients and colleagues, as appropriate, about the potential risks and consequences of alternative courses of action? Can you support or justify your action plan with the values/principles on which the plan is based? (For example, have you conferred with all the necessary persons regarding the ethical dimensions of planning for a battered wife's quest to secure secret shelter and the implications for her teen-aged children?)
5. IMPLEMENT your plan, utilizing the most appropriate practice skills and competencies. How will you make use of core social work skills such as sensitive communication, skillful negotiation, and cultural competence? (For example, skillful colleague or supervisory communication and negotiation may enable an impaired colleague to see her/his impact on clients and to take appropriate action.)
6. REFLECT on the outcome of this ethical decision making process. How would you evaluate the consequences of this process for those involved: Client(s), professional(s), and agency (ies)? (Increasingly, professionals have begun to seek support, further professional training, and consultation through the development of Ethics review Committees or Ethics Consultation processes.)

### **Philosophical Systems**

Philosophical system is a consistent set of values and criteria that apply to a wide variety of issues. Here are the four philosophical systems most frequently used or discussed that may have a bearing on our system of thought and knowledge:

**Idealism:** Reality is basically spirit or idea. Knowledge is gained through the mind. Value is measured by conformity to ideals.

**Realism:** Reality is basically matter or the physical universe. Knowledge is gained through the senses. Value is measured through conformity to nature.

**Pragmatism:** Reality is process or experience. Knowledge is gained through trial and error. Value is measured by what is of practical benefit to society.

**Existentialism:** Reality is self-defined. Knowledge is gained through personal decision making. Value is measured by responsible individual choice.

### **Ethical Systems**

An ethical system is a consistent set of beliefs which can be applied to a wide variety of ethical dilemmas. Some widely argued systems include:

**Virtue Ethics:** Ethical behaviour is that which develops moral virtues. Focus on attitudes, intentions, and character traits which enable humans to develop their potential.

**Utilitarianism (Mill and Bentham):** Ethical choices produce the greatest good and the least harm. Focus on consequences of actions.

**Human Rights (Kant):** Human rights are interests and activities which we must respect and protect as a civilization. Every person has the fundamental right to be respected and to be treated as a free and equal rational agent. This implies other rights, such as privacy,

truth, and freedom from harm. Focus on actions which do not use people as instruments toward a goal.

Fairness/Justice (Aristotle): Treat people consistently the same, unless there are morally relevant differences between them. Focus on fairness and consistency of actions to distribute benefits and burdens among all members of a group.

Common Good (Plato, Aristotle and Cicero): Society is a community joined in a shared pursuit of common goals. The good of the individual is inextricably bound to the good of the group. Ethics advances the common good.

### Some Techniques of Ethical Analysis

Ethical analysis tries to identify the participating parties, their respective stakes and responsibilities, and the essential issues. After this groundwork is in place, various ethical guidelines (rules of conduct) and principles (philosophical systems) are applied to the problem. Most discussion revolves around understanding the intent of the guidelines and principles when applied to a particular case.

When addressing an ethical dilemma or a case study, try to answer these questions:

1. What is the ethical issue? Is something morally wrong? Is the issue deeper than personal or institutional concerns?
2. Who are the involved parties (the people and the organizations affected)? Who has an important stake in resolving the issue?
3. What are the obligations between the parties?

Fidelity	(a promise or a contract)
Reparation	(making up for a wrong)
Gratitude	(thanking for a right)
Justice	(comparative merit)
Beneficence	(helping a deserving person)
Non-injury	(avoiding harm)

4. What would each party consider to be the preferred course of action?
5. Generate several courses of action (at least three, two extremes and a compromise).

Identify broad filters which might constrain the choice of options for action.

6. For any choice of action, determine the impact on each of the parties
  - (a) Are any ethical guidelines violated?
  - (b) What are the best-case and worst-case outcomes? Are they tolerable?
  - (c) What benefits and harm will be caused? Does the good outweigh the possible harm?
  - (d) Are there rules or principles which invalidate the choice of actions?
  - (e) List the consequences, risks, and costs.
7. Choose a course of action, and identify which philosophical system it aligns with:
  - Ethical egoism
  - Utilitarianism
  - Human Rights
  - Ethical Relativism
  - Fairness and social justice
  - Common good
8. Which alternative actions produce the best overall consequences? What respects the moral rights and dignity of all parties? Which actions treat people fairly, without favoritism or discrimination? Which advance the common good? Which actions develop moral values? Which actions recognize the cultural context? Which actions are the most consistent?

9. Do different ethical systems generate different courses of action? Are there issues to which none of the ethical systems apply? Which system is most compelling for resolving the particular issue?

10. Finally make a clear and definitive decision about a course of action. Suggest policy changes which will prevent the problem from recurring.

1. Specify the FACTS.
2. Define the DILEMMA.
3. Identify the PARTIES and their interests.
4. Clarify the VALUES and PRINCIPLES at stake.
5. Formulate the possible ACTIONS.
6. Identify the potential CONSEQUENCES.
7. Make a clear DECISION

### **Some more strategies on how to solve cases on ethical dilemma with examples**

The source of the case discussed below and its analysis is Vikram Karve, an Electronics and Communications Engineer by profession).

Some people believe that ethics is of little concern to business people.

Ethics is ethics and business is business.

When faced with an ethical dilemma today, many upwardly managers tend to take the position that they must wear two hats and cloak themselves with two separate, conflicting codes of ethics. One ethical hat applies to the professional or technical aspects of their work (professional or technical ethics) and the other for their business behaviour (business ethics).

This leads to the development of a schizophrenic ethical personality, with the manager striving for professional excellence and high ethical standards for his own self, but resorting to unethical practices to achieve business success for his organization at all costs. Indeed this Dr. Jekyll and Mr. Hyde approach is at the heart of many ethical dilemmas in managerial decision-making.

One useful technique to resolve such ethical dilemmas is the CATWOE model

adapted from Systems Management. Ethical dilemma occurs due to mismatch in ethical perspectives of various stakeholders involved in the ethical situation. A CATWOE analysis helps the manager identify all stakeholders involved in a decision and their respective ethical perspectives.

CATWOE is an acronym to categorize various stakeholders:

CATWOE MODEL

C = CUSTOMERS, OR CLIENTS OF THE DECISION

A = ACTORS, OR AGENTS WHO CARRY OUT THE DECISION

T = TRANSFORMATION PROCESS, THE DECISION MAKER

W = WELTANSCHAUUNG, WORLD VIEW PREDOMINANTLY HELD

O = OWNERS / OWNERSHIP

E = ENVIRONMENT / ENVIRONMENTAL IMPOSITIONS

To elaborate a bit:

C: The 'customers of the system'. In this context, 'customers' means those who are on the receiving end of whatever it is that the system does. Is it clear from your definition of "C" as to who will gain or lose from your decision?

A: The 'actors', meaning those who would actually carry out the activities envisaged in the notional system being defined.

T: The 'transformation process'. What does the system do to the inputs to convert them into the outputs?

W: Weltanschauung - The 'world view' that lies behind the root definition. Putting the system into its wider context can highlight the consequences of the overall system. For example, the system may be in place to assist in making the world environmentally safer, and the consequences of system failure could be significant pollution.

O: The 'owner(s)' – i. e. those who have sufficient formal power over the system to stop it existing if they so wished (though they won't usually want to do this).

E: The 'environmental constraints'. These include things such as ethical limits, regulations, financial constraints, resource limitations, limits set by terms of reference, and so on.

Here is an example of how to solve a case study on the basis of the above model.

#### 101. Case Study

A state-of-the-art cutting-edge technology product (say something like a mobile phone – remember the year in 1997) is to be launched by a leading company simultaneously at different locations, for the first time in the country on a certain date, which has been widely announced and advertised and there



is fantastic customer response and heavy bookings for the product.

A big event is planned in Pune for the launch for which a large number of dignitaries, customers and media have been invited, for extensive TV, media and press coverage. The manager's career hinges on the success of the event and the launch.

Three days before the scheduled launch date; the newly appointed regional manager's deputy tells him that the trucks transporting the product have been detained at the octroi post outside Pune, ostensibly for want of some documents and the octroi inspector is demanding a bribe for immediate clearance of the consignment.

"Should we pay the bribe?" the deputy manager asks the regional manager.

#### CATWOE Analysis

To begin CATWOE analysis of the ethical situation, let us start with the key player – the regional manager who is the decision maker or the "T" of the CATWOE model.

The newly appointed regional manager may face a number of ethical dilemmas that may complicate his decision.

What is the meaning of the directive from his boss that the launch event must succeed at any cost? Does his boss mean that the regional manager must do anything, legal or illegal, in order to ensure a successful launch? Or does this directive imply and assume that the regional manager should act within bounds of the law and ethical propriety?

Why has his deputy manager passed the ball in his court...? The deputy manager has been working in this office for a long time and surely such situations must have arisen before. The amount of the bribe is peanuts and well within the deputy manager's scope to pay and he can surely "manage" this on his own. Then why is he asking the regional manager?

Is it a trap to test the newly appointed regional manager's honesty?

The regional manager has many ethical obligations towards several parties. He has an obligation to obey the laws of the land but as an employee he also has owes a degree of obedience to his superiors and obligations to ensure the company's success. This conflicting two-fold obligation comprises not only business and commercial success but also includes his duty to guard his company's reputation, protect its interests and see that it doesn't fall foul of the law.

Finally, the regional manager has a duty towards himself not to compromise his own personal conscience. At the same time he needs to look after his career interests for which a successful launch is vital. And he must safeguard himself against legal hassles if he is caught breaking the law.

**CATWOE - The Dramatis Personae and their Ethical Perspectives****ACTORS**

The actors include the various persons demanding the bribe and the company employees / agents involved the payment / delivery process of the bribe. It could set a bad precedent as both the company and newly appointed regional manager could acquire a reputation that they can be easily “milked” and are ethically vulnerable. Furthermore, paying the bribe could create an attitude amongst employees and junior staff that, in this company, bribery is simply a standard operating procedure.

It is most likely that employees expecting to be held accountable to the manager and company rules will begin to distrust both the manager and the company itself, for in today’s world employees reject the “Do as I say, but not as I do” notion.

**OWNERS**

The directive that the launch must be a success at all costs, (secure business at all costs) conveys the message that the company’s top management is concerned with only results not with the means to achieve the results. It encourages employees to abdicate moral responsibility for their actions and take refuge in the “I was only following orders” excuse thereby shifting the blame and trying to clear one’s conscience. When senior management fosters an attitude that anything goes, experience suggests that it probably will and there is every chance that scams and scandals may occur.

It must also be remembered that to the extent the company gains sales for non-business reasons it runs the risk of being complacent about the quality of its products or services. If it no longer feels the need to respond to the demands and dynamics of market or the challenge of technological advancements, it risks losing its competitive edge.

**CUSTOMERS**

The ethical dilemma here is that on the one hand the regional manager must keep his promises to his customers regarding timely delivery and on the other hand not lose sight of the fact that bribes represent unproductive deadweight that raises the cost of doing business which in turn is passed on to the customer.

**ENVIRONMENT**

Is the argument “well, others are doing it, so why not us” valid? The prevailing ethical environment depends on the moral behaviour of the majority of citizens, or in this case the ethical environment is also determined by the moral values and code of conduct of the existing industry.

But one thing is sure – in the long term, it is not beneficial to conduct business in an environment where lying, stealing, bribery, cheating and other immoral

activities are permitted and practiced by the majority. That is why bribery is illegal in virtually every country in the world.

WELTANSCHAUUNG (World View Predominantly Held)

On the ethical plane, bribery and corruption is almost universally condemned as it violates the core ethical values of honesty and integrity.

SUGGESTED SOLUTION (to the Ethical Dilemma)

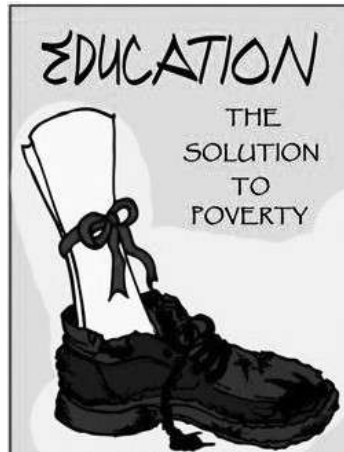
CATWOE analysis presents a holistic view of the ethical perspectives of concerned stakeholders involved in the ethical dilemma. In the ethical situation analyzed here in this case study, it clearly suggests that it is the long-term interests of the stakeholders involved in the ethical decision that the regional manager should:

1. Decline to pay the bribe.
2. Apprise the top management of his decision.
3. Use the three days time available and try to resolve the issue in the proper manner, with the help of the top management, intervention at higher levels and threat of counter-exposure if necessary.
4. Take customers into confidence to cater for the “worst case scenario”.
5. Ask the top management promulgate a code of ethics which clearly prohibits all types of bribes and illegal payments.

### **BUSINESS ETHICS**

Business ethics concentrates on moral standards as they apply to business policies, institutions and behaviour of top management and employees who work within these organizations. Business ethics is applied ethics as it incorporates ethical analysis involving all stakeholders (CATWOE Model) and applies the conclusions of this analysis to resolve ethical dilemma.

Business is a cooperative activity whose very existence requires ethical behaviour, as any unethical behaviour on the part of any of the stakeholders is detrimental to business interests. Business cannot strive without ethics so it is in the best interest of business to promote ethical behaviour among all its stakeholders as well as within its larger society. When employees believe an organization is ethical, they are more willing to contribute to the organization's interests, as they see managers' leadership as legitimate and readily follow what their managers and supervisors tell them to do. Thus, ethics is sine qua non for any business and term “Business Ethics” is certainly not an oxymoron.



## CASE STUDY : 1

### Right to Education

Everyone has the Right to Education

*You are a young IAS officer who has recently been posted in a remote district. When you reach your posting you find that the village has seen no development. The villagers give no importance to education and most children leave school to work with their parents. The parents feel this is the best option for them. Since there are very few students studying in the school the teacher does not come regularly. You also notice that the school is in a dilapidated condition. As an educated citizen you feel everyone has a right to education and its benefits. You have two options in front of you.*

- (i) You can force all the children to attend school and warn the parents that anyone forcing their child to work will be severely punished.*
- (ii) You can request the villagers to send their children regularly.*

***Discuss both options and suggest what steps you would take to improve the situation?*** ***(250 words)***

#### Answer

In this situation there are multiple issues which need to be addressed holistically.

- (i)** Firstly, the villagers' attitude towards education has to be changed. Until they do not realize the advantages of education for themselves they will never give it any importance.

(ii) Secondly the infrastructure of the school has to be improved.

(iii) Thirdly the teachers must come regularly as this will set a good example for the students. Forcing the children to attend school will make them come regularly but they will do it out of fear and they will dropout as soon as possible. However, mere requests will not solve the problem either as the villagers will not see how important education is. I would adopt an approach between the two.

Changing the villagers' attitude towards education is the key to solving the problem. I would try to show them how beneficial education can be in every scenario. In many cases education is seen as a threat to the existing way of life, which is why people are not keen to educate their children. I will try to make them understand that education is not a threat to them; instead it will open new opportunities for their village. I will also interact regularly with all the children and try to persuade them into attending school regularly.

Secondly, I will try to repair the school building. A clean and well maintained school is more likely to attract students than a broken down one. In case funds are required, I will try to procure them as quickly as possible.

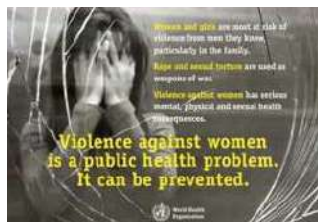
Thirdly, I will ensure that the teachers come to the school regularly. I will remind them that it is their duty to teach the students. In case they do not improve their performance, I will report them to their seniors and recommend strict action be taken against them.

## Right to Education

Right to Education Act (RTE), is an Act of the Parliament of India enacted on 4 August 2009, which describes the modalities of the importance of free and compulsory education for children between **6 -14** in India under **Article 21A** of the Indian Constitution. The Act came into force on 1 April 2010.

### Constitutional Background

- Originally Part IV of Indian Constitution, Article 45 and Article 39 (f) of DPSP, had a provision for state funded as well as equitable and accessible education.
- The first official document on the Right to Education was Ramamurti Committee Report in 1990.
- In 1993, the Supreme Court's landmark judgment in the Unnikrishnan JP vs State of Andhra Pradesh & Others held that Education is a Fundamental right flowing from Article 21.
- Tapas Majumdar Committee (1999) was set up, which encompassed insertion of Article 21A.
- The 86th amendment to the constitution of India in 2002, provided Right to Education as a fundamental right in part-III of the Constitution.
- The same amendment inserted Article 21A which made Right to Education a fundamental right for children between 6-14 years.
- The 86th amendment provided for a follow-up legislation for Right to Education Bill 2008 and finally Right to Education Act 2009.



## CASE STUDY : 2

### Crime Against Women

***In India we see that there is a rise in crime against women. Every day the papers are full of cases of harassment, sexual abuse, domestic violence and rape. The severity of such crimes has also gone up. At the same time we see that such crimes are not limited to any particular social or economic background. The perpetrators as well as the victims come from all classes of society.***

***Discuss why there has been such a rise in crime against women. (250 words). Make suggestions as to how this can be reduced.***

#### Answer

There are many different factors behind the steep rise in crimes against women. One of the major factors include the sudden changes in society. In the past 20 years, the Indian society has seen more changes than it has in the previous 50 years. More and more women are working and they are no longer restricted to any particular kind of job. The rise of the IT sector has meant that now women are working at all hours. At the same time, rising incomes have led to a more consumerist lifestyle. People have more money to spend and this has led to arise in aggression and stress.

The gap between different groups of society has widened. This has led to a situation where the old forms of social interaction no longer exist, yet the new forms have yet to be created. In many cases men are unable to accept how much society has changed. They cannot accept that women are treated at par with men and can even earn more than them. This leads to a conflict within their personality which is often manifested in the form of violence against women.

The media also has an important role to play. On the one hand the depiction of women in films and serials is often regressive which further strengthens stereotypes in the minds of many males. There is also a great degree of sensationalism. On the other hand, the media helps highlight the many problems women face and also highlights issues of female infanticide, women's rights and need for empowerment of women. All this creates a lot of mental conflict in the way women are perceived.

If we want to reduce the crime against women, social changes are very necessary. We have to change the way people think. Greater importance has to be laid on gender sensitization. Women's education and empowerment has to be given priority. We need to make sure that there is swift and speedy justice in such cases.



## CASE STUDY : 3

### Helping Someone/ Friend Cheat

*Ramesh is a studious boy who has spent the past few months preparing for his MBA final exams. His friend Jaideep is not very good at studies. Jaideep has never scored good marks despite trying his best. He is very worried about what kind of job he will get when he leaves the institute. It is very important for him to find a well-paying job as his parents have taken a loan for his studies.*

*A day before the exam Jaideep finds out that the exam paper is available for sale. He asks Ramesh to lend him the money which he promises to repay later. Jaideep is very happy as he feels now he will be able to score good marks. Ramesh does not want to disappoint his friend, at the same time he feels it would be wrong to cheat.*

*Ramesh comes to you for advice. What advice will you give him? (250) words*

#### Answer

Ramesh is in a tough situation. On the one hand lies his friend's dreams and aspirations and, on the other hand are his ideals. In such a situation Ramesh has limited options.

**(i)** He can refuse to give his friend the money since it is against his principles and ask him concentrate on his studies.

**(ii)** He can report the leaking of the paper to his teachers and allow them to resolve this situation.

**(iii)** Thirdly, he can give into his friend's requests and lend him the money.

The first and third options are both extreme. In both cases one person will feel extremely hurt. In other words it is a zero sum game where one person wins and the other loses. The second option seems the best. However, before informing the teachers I would advise Ramesh to tell Jaideep what his intentions are. I would also advise him to tell Jaideep to rely on his own hard work. In many such cases the so called leaked papers are often fake. Even after paying money there is no guarantee that he will get good marks. In such a case, it is better to rely on one's own hard work. Even if he did secure a well-paying job by cheating in his exams, he might find himself unable to discharge his duties properly. This could mean that he would lose his job. Besides, marks alone cannot bring success in life. Hard work and good character are what matters in the long run.





## CASE STUDY : 4

### Should You Do Wrong to Gain Politician's Favour

*Assume you are a District Magistrate. The MP of the area often comes to visit your district and you know him well. One day he calls you and asks for a personal favour. His son has been arrested for a car accident. The MP does not want the media to hear about this. He asks you to get his son released and make the police drop all charges against him. He says he will be highly obliged if you help him. Your friend is present when the MP calls, he advises you to do what the MP has said. "It is always useful to have an MP who owes you a favour," he says. Do you agree with your friend? Give your reasons for agreeing or disagreeing in 250 words.*

#### Answer

A district magistrate must do his work in such a manner that the district benefits. It is not his duty to curry favours. He cannot be involved in any activity which goes against the law.

In this particular case I think there are three possible options

- (i) I can agree with what the MP has asked me to do and get his son released.
- (ii) I can refuse and tell him there is nothing I can do.
- (iii) I can tell him that without any details I can make no decision. I will contact the police and try to find out what can be done and only then will I take any action.

In this case the first option is incorrect. I cannot make any promise without the complete details. The boy may have been arrested under a law which will not allow bail; there may be many other legal complications.

The second option is unduly harsh. As a member of the bureaucracy I am working to help the citizens. Every citizen has a right to ask for my assistance.

The third option is the best. I will find out all the details of the case and see if there is any assistance I can give within the ambit of the law. I will try to ascertain the legal standing of the case and then evaluate what options are available for the MP and his son. I will inform my superiors before taking any action so that they are aware of my decision.



## CASE STUDY : 5

**Should Contract Be Given to Legally and Technically Correct But Morally Wrong Supplier?**

*Gopal was transferred as head of finance to government undertaking. When he reached there he found that many employees were used to asking their suppliers for favours. The suppliers would be happy to oblige. They even paid for the holiday outings of many senior employees. Gopal felt that this was not right. He felt that the employees should maintain a distance between their personal and professional lives; taking professional help for personal reasons is a kind of corruption. He tried to point this out, but the employees took umbrage at his words. They told him that he was being too rigid. Times had changed and there was no harm in social interactions with their suppliers. None of them were corrupt; there had never been any exchange of cash for any official work. Gopal was dissatisfied with their responses but he realised that there wasn't much he could do.*

*Next month when it was time to review the suppliers' contracts, Gopal chose the option which was best for the company's finances. Unfortunately this was not the old supplier, his colleagues disagreed with him. They cited many technical reasons to overlook the financial implications and voted against his decision. Gopal feels they have been swayed by the old supplier but he has no proof. He comes to you for advice. What advice will you give him?*

### Answer

The main issue here is awarding the contract to the best supplier for the company. Gopal is the head of finance, as such his decision should be final. However, if all the other employees have voted against his decision he needs to go back and study his decision. He must see whether the reasons they have

advanced for voting for the old supplier are valid or not. If he finds that the reasons they gave are indeed valid then he must agree and not make this an issue of his ego. To this end he can request a technical person to evaluate the contracts.

However, if there are no valid technical reasons, then Gopal should not change his decision. In that case he needs to consider why everyone voted against him. If he feels that the only reason is the fact that many employees have built personal connections with the suppliers then he needs to bring this to the notice of his superiors.

I would advise him to consider these aspects and then make a final decision. He can attach a copy of the technical evaluation to his report in which he should mention the employees' relationship with the supplier. He should inform his superiors of the decision taken and ask them to decide which supplier they should go forward with.

## CASE STUDY : 6



### Face a Job Interview or Help an Accident Victim

*Suresh was on his way to his job interview. He knew that traffic could sometimes be very bad so he left half an hour early. However, on his way he faced abnormally long traffic jams. As his car inched forward he saw that there had been an accident. A car had overturned and blocked half the road creating such a huge traffic jam. He noticed that there was a young girl lying in front of the car. There were two occupants still trapped inside the car. Many people slowed down when they passed the car but no one stopped to help. Suresh wants to stop but he is afraid that if he stops to help he might miss his interview. What would you do if you were in his place?*

#### Answer

This is not a decision which can be made easily. On the one hand we would like to help anyone who is in need of assistance. On the other hand many of us are afraid of getting involved in road accidents because we are scared of getting involved in a police case. On top of that Suresh has to consider his upcoming interview. He cannot afford to put his career on risk for people he does not even know, especially when there are many others who can step up.

However, the other aspect is a moral aspect. A person in need cannot be abandoned just because he is not known personally. A good human being is one who helps anyone who requires assistance. In this case Suresh can see that others are not providing assistance. The injured people are not in a position to ask for help themselves. Suresh would also be aware that in case of an accident it is crucial for the victims to reach a hospital as soon as possible, and a slight delay could mean a loss of life.

If I were in Suresh's position I would first call the police on their helpline and inform them of the accident. This way I would be able to ensure that someone comes to the assistance of the injured passengers. I will exhort people to help the victims instead of gawking at them.

I would then call the office where I was going for an interview and inform them of the situation. I would request them to give me some extra time. If they agree I would immediately go to the accident site and help provide first aid to the victims. If my interview cannot be postponed I will head towards the office knowing that I have done whatever I could.

## CASE STUDY : 7



### How Would You Respond to Blackmail?

*You are a senior officer in a PSU. One day an employee approaches you for your assistance. He would like you to allow him to work part time for one of your competitors. He tells you he is in desperate need of money. Since it would be unethical of him to work somewhere else you refuse to give him permission. You advise him to take a loan instead of indulging in unethical behaviour. He tells you that he knows you cannot give him any official permission but he would like you to allow him on an informal level. You refuse to do so, further you tell him that it would be against his employment contract for him to do so and if you find out from someone that he has gone ahead you will recommend his suspension.*

*Next week he contacts you yet again and makes the same request, when you refuse the second time he says that he will make an allegation regarding bribery against you if you do not help him. What will you do?*

#### Answer

In this situation there are two different aspects.

**(1)** The employee wants to work for a competitor. This can create a conflict of interest; also it would be against the terms of his employment. The correct action is to dissuade him from such action. If he is in need of cash there are many other options available to him. He can take a loan; he can withdraw money from his Provident Fund etc. He should be made aware of all options as his actions may spring from ignorance.

**(2)** The second aspect is his attempt at blackmail. By threatening to make false allegations, the employee is indulging in unethical behaviour. Here there are no mitigating factors; he is willfully and knowingly following a wrong path. For this itself he can be given an official reprimand. If any leniency is shown in such circumstance it will create a bad example. In such a situation, I would deal with him very sternly. I would tell him that he could face serious consequences for making false allegations. Since there has been no question of taking any bribes, I would assure him that even if he tried he would not be able to prove any such allegations.

Furthermore, I would immediately inform my superiors of the entire incident and ask them for their advice on how to proceed. This would ensure that should he proceed with his allegations, my position would already be clear. If my superiors recommend, I would initiate disciplinary proceedings; otherwise I would end the issue with an official warning.



## CASE STUDY : 8

### Is It Ethical to Purchase Land From Villagers at an Unfair Price?

*Suppose you have recently started working for a real estate firm. Your firm has decided to build a new residential complex with all kinds of modern amenities. For this purpose your firm is planning to buy land from the locals of a particular area. Through their contacts the owners of the firm know that a new highway will soon come up in this area, this is why they have identified this particular locality for their upcoming township. You are in charge of land procurement. You have been told to offer a fixed price to the land owners. Most of the land owners agree to sell their land; however you realize that the price being offered to them is not a fair price. Once the national highway is announced the land prices will shoot up. The firm will make a tidy profit by reselling parcels of land to other real estate developers but the farmers will be left with no land, no source of employment and a comparatively small amount of money. There is nothing illegal in what the firm is doing but do you think their behaviour is justified? Why or why not? Examine both sides of the argument, also suggest what measures can be undertaken to rectify the situation.*

#### Answer

**(1)** The first argument is that the company is doing nothing wrong. None of their actions are illegal. They are offering the land owners a price based on the present scenario. It is for the sellers to decide whether the price suits them or not. The upcoming highway has not yet been announced. This means there is a possibility that it may not correspond with the company's plans. This is a risk the company is willing to take and whatever profit they may earn from their ability to take risk is justified. In every business there are certain risks and profits arise only because people are willing to take that risk.

(2) The second argument is that the company is trying to take advantage of the limited knowledge of the locals. Since they are totally unaware of the possibility that the prices may rise, they will agree to sell at a lower price. The company would not be making such a huge investment if it did not have some certainty about the upcoming highway. Rather than earn profits through their hard work they are planning to earn profit by simply waiting for the prices to rise. It does not seem fair that they should earn profits by merely waiting while the farmers who have toiled this land for years will not benefit.

In such a situation it is best if the company offers a better price but it would not be possible unless the villagers come together and negotiate for a better price. At the same time if the company pays a significantly higher price it may cut into their profits making this option no longer a financially viable operation. After all, the company must earn enough to justify the investment since it is a business operation and not a social welfare organization.

A feasible option would be that if the company were to provide the villagers with employment opportunities in their upcoming township or if they would provide the villagers with investment advice so that they would be able to utilize their compensation packages properly instead of squandering it away. This would not cost the company much and yet both parties would stand to benefit from the deal.



## CASE STUDY : 9



### Unsocial Behaviour of Your Neighbours

*You are a resident of a colony in a more prosperous part of town. The house next to yours has been vacant for quite some time. One day you notice that there are two men inspecting the house. In a few days they shift in. They do not interact with anyone in your building and prefer to stay indoors the whole day. You often hear them conversing in a different language, they always fall silent immediately when they realize someone is nearby. You also notice that frequently groups of boys come to their house and stay for a few days before leaving. Neither one of the tenants seems to have a regular job yet they have managed to rent a house in your locality. You find their behaviour suspicious and feel they may be indulging in illegal activity. You casually ask the landlord about their background but he replies that he does not know much about them but they are prompt with their payment. Your landlord is an old man and he has been unable to get the tenants' police verification done. You realize that there is nothing wrong in being unsocial but their behaviour makes you uncomfortable. Evaluate your options.*

#### Answer

There are 3 basic factors which are causing discomfort.

(i) The unsocial behaviour of the new tenants. Man is a social animal. It is a normal tendency to interact socially with people in your environment. While one does not have to be friendly with everyone, most of us realize that there are certain basic social courtesies which we extend to our neighbours.

(ii) The regular coming and going of groups of boys is not a worrisome aspect provided there is a logical reason. For instance they may be relatives, but if it is a new group each time then this is not likely. It is also possible that they are providing certain services to students. This would explain the different groups of boys; it would also explain why neither person holds a job. However, if they

are running commercial activities from a residential area they need proper permission to do so.

**(iii)** The fact that they speak a different language should not be an issue. India is a nation full of different languages and dialects and one cannot know all of them.

There are basically three possible courses of action. One you may report your suspicions to the police. This seems a bit harsh since there is nothing concrete to report. The other option is to avoid the problem. This could create problems for you later in case the tenants do turn out to be involved in illegal activities. The third option is to confront them directly. However this may create unnecessary complications as they may quite legitimately refuse to answer questions about their personal lives.

The best thing to do in this situation is to get the police verification done for the tenants. If they are indulging in any illegal activities then the police will be able to spot it. Otherwise you will know that there is no need to worry since the landlord is unable to get the verification done, you can volunteer to do it for him.



## CASE STUDY : 10

### Whether Third Degree Interrogation Can be Justified?

*Ravi is an honest and upright police officer. He comes to you for advice about a peculiar situation he is facing. For many days his men have been tracking some criminals. Through intercepts of their conversations the police have come to know that they are planning a major terrorist attack. They have managed to arrest one of the kingpins. Despite rigorous interrogation he has not divulged any details. Ravi knows that there is very little time left. Meanwhile there is another officer who is known to push the law. He has been officially reprimanded for his behaviour. He requests Ravi to let him interrogate the prisoner for one hour in a closed room. Ravi is afraid that he may use illegal 3<sup>rd</sup> degree torture, but Ravi is desperate to get details as many lives could be saved. What advice will you give him?*

#### Answer

Life is never black and white. It is easy to talk of ethics in a theoretical manner but our ethics are normally questioned in such murky scenarios. Ethics is about how we are expected to behave in certain situations. In this situation Ravi's ethics are at war. As a police officer it is his duty to help protect the citizens of the country, this means he must get the details from the criminal. However, as a police officer he must at all times follow the law which treats everyone as innocent until they are found guilty. There is therefore a clash in his duties which raises an ethical conundrum.

On the face of it, it would appear that no matter what he does; at some level he will indulge in unethical behaviour. However, that is not true.

My advice to Ravi would be to try interrogating the criminal himself, one last time. This way he will know he has done the best he could. After that he should allow the other officer to conduct his interrogation. Before handing over the prisoner, Ravi should remind his colleague not to do anything illegal. He should also make sure that there is an official record of everything. Should his fellow officer indulge in anything illegal or unethical; it will not be Ravi's responsibility. Also, simply because the other officer has been censured does not mean he will necessarily do something wrong. It is possible that he wishes to use this opportunity to redeem himself and show that he is cognizant of his previous mistakes.

## CASE STUDY : 11



### As an Attorney Should Your Report Your Wanted Client?

*Imagine you are a lawyer. One day a client hires you for a civil case he is fighting. During the course of your conversation the client tells you something which leads you to believe that he may have committed a crime. On further questioning you realize that your client may be guilty in a hit and run case which has been in the news. The police have been unable to find the culprit. However, you have no proof and whatever information your client has let slip, is in his conversation with you as his lawyer. This means it falls under the ambit of attorney client privilege, as it is such information which you cannot disclose to anyone.*

***What action would you take in such a case?***

#### Answer

In such a case there appears to be two options. Firstly, I can approach the police and give them the information I have from my client. However, this would mean violating attorney client privilege. Attorney client confidentiality is one of the key aspects in today's legal system. Under this, an attorney or lawyer cannot violate the trust his client has placed in him and disclose any information he has received from his client in his professional capacity. To do so would be a violation of the ethics of his profession. Therefore, I cannot disclose anything to the police.

The second option is to remain silent since disclosing what I know could be a violation of my professional ethics. However, the problem is that by remaining silent I would be violating my personal ethics. It is the duty of every citizen to step forward and help the administration in solving any crimes by disclosing any information they may have.

It is therefore a difficult situation since ethics demand two completely opposing kinds of behaviour. I will have to find a way of aligning these two opposing views and find a third option.

I can do this in different ways. For example, I can send an anonymous letter to the police disclosing all the details I have without disclosing my identity. This way there will be no violation of ethics. I can use my personal contacts to leak this information to the police. I can tell them that I overheard someone's private conversation but do not know who the individual was. It is therefore possible for me to fulfill my duty both as a lawyer and as a private citizen; all I need is a little ingenuity.

### **Attorney-Client Privilege**

#### **Definition**

Attorney-client privilege refers to a legal privilege that works to keep confidential communications between an attorney and his or her client secret. The privilege is asserted in the face of a legal demand for the communications, such as a discovery request or a demand that the lawyer testify under oath.

#### **What is not covered by attorney client privilege?**

The attorney-client privilege protects most communications between clients and their lawyers. But, according to the crime-fraud exception to the privilege, a client's communication to her attorney isn't privileged if she made it with the intention of committing or covering up a crime or fraud.

## CASE STUDY : 12



### Can We Justify String Operations?

*All of us know what sting operations are. They are enacted with the objective of exposing some illegal activity, it may be a person indulging in such behaviour, it may be people perverting the system, etc... There have been many different kind of sting operations. The most important factor is the use of hidden cameras. This enables people to record anyone's behaviour without their awareness. Do you think sting operations are justifiable? Discuss and elaborate your arguments keeping in mind factors such as invasion of privacy, exposure of facts and the greater good of the nation.*

#### Answer

Sting operations have become very popular these days. They are being carried out at every level. Some people use it as proof of corruption; some people use it to expose the reality behind many issues.

Sting operations have become popular because of the ease with which they can be carried out. Concealed cameras are very easily available. One can easily hide them according to one's convenience. These cameras have become much more powerful, with greater visual clarity and enhanced audio recording. All this means it is very easy to conduct a sting operation. However we must consider whether there is a genuine need for sting operations.

One of the first sting operations in India was carried out by Tehelka. It was about the system for procuring defence equipment. The sting operation was carried out over a long period and was released once the whole issue was clear. However nowadays people are in a hurry to reach conclusions and often a sting operation is conducted without proper research.

In many cases the people conducting the sting operation deliberately incite their subjects. They lure them into saying things which are inappropriate or illegal. In some cases the footage is edited in such a manner that the wrong impression is created. However, there is no proof of any such illegal act being committed.

A sting operation is conducted without the subject's prior approval; as such it is definitely an invasion of privacy. Sting operations are not good or bad in themselves, it depends what is the purpose behind the sting. A sting operation can be justified only when it is backed by proper research. It should be done with a clear objective and to provide evidence when there is no other way of getting such evidence. For instance, if an officer is asking for bribes one can secretly film him taking a bribe. In this case it would be justified as you have faced the bribe giver yourself and have got irrefutable proof.

Sting operations have been conducted in many hospitals to catch those culprits who assist in prenatal sex selection. This is illegal in India and filming them may be the only proof as there is no other hard evidence. In cases such as these, sting operations are justified. They help make a clear picture of what the actual facts are and help us in solving national problems like female infanticide, corruption etc...

However, when a sting operation is conducted without a clear objective, e.g. an officer's conversation is recorded merely to see whether he says anything objectionable; then it becomes a breach of privacy.

#### **Sting operation in India**

Sting Activities are carried out with a view of digging at the activities of the Government and to see if the actions of any person are contrary to public policy. These activities have properly been characterized as effective sting operations, holding governments honest and transparent. Conversely, there is also another type of such operations that do not support society in a way that violates the right to privacy. Such forms of sting activities, if allowed, would impede the independence of people and limit their freedoms.

In *S. P. Gupta vs. Union of India*, the Supreme Court held that "no democratic government could indeed sustain without transparency, and the common idea of accountability is that people should have relevant data about the functioning of the government."

In the case of *Romesh Thappar vs. State of Madras*, the supreme court has held that the public interest through freedom of discussion (of which freedom of the press is one component) derives from the necessity that individuals of a democratic country must be adequately made aware so that they can have an erudite influence on decisions which might affect them. In some, the fundamental principle involved is the people's right to know.

## CASE STUDY : 13



### Should You Crack Insensitive Jokes?

***Ramesh and Geeta are classmates. They are part of a large group of friends. They often go out for activities together. One day they go to an amusement park. All the friends have a lot of fun. After one of the rides, Prakash a common friend gets disoriented. He is unable to walk properly for a few minutes. Ramesh makes fun of him and calls him a “spas”. Geeta gets very angry. She tells Ramesh that Spastics suffer many kinds of problems; one should not use the word Spas to make fun of anyone. Ramesh is surprised at her vehemence. He tells her he was simply joking and that most people use the word as slang.***

***Do you think Geeta is justified in being so angry? Also is it okay to use certain terms as derogatory slang when they may have some other meaning in a different context?***

#### **Answer**

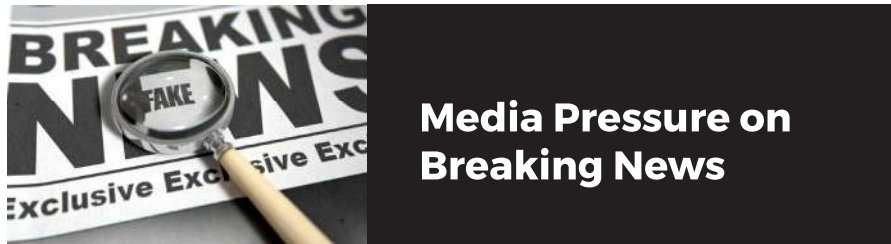
The term slang is used to cover a wide array of words. Today even curse words are used as affectionate slang e.g. bitch etc... In such a scenario it may seem as if Geeta is over reacting. However, one must consider the larger picture. Firstly, name calling can lead to low self-esteem. That may not be the case here but over time it can lead to issues of self-esteem and identity crisis. When we use a word as slang we must not forget the original connotation of the word. India is a country full of different identities. To use an identity as slang can build a negative connotation for the word.

There has been a lot of discrimination in our country through the ages over caste identities. The scheduled castes in particular have faced a lot of discrimination. Earlier they were not addressed by names but by their castes. This is why Gandhiji came up with the term of Harijans to remove the negative connotation associated with the scheduled castes.

Each person is unique; to generalize is to take away that uniqueness. In this particular case Geeta has a valid point. By making fun of someone by calling them a spastic is to make fun of all spastics. This is definitely wrong. Spastics suffer from a specific disease but that does not mean they are less than anyone or do not deserve respect. Geeta may have been too strong but using terms like spas, or moron is wrong as they have a very specific connotation and are different from generic terms.



## CASE STUDY : 14



*There has been a steady proliferation of news channels in the past few years. There is a constant competition between these channels for viewers' eyeballs. This has led to news being broadcast 24/7. This puts a lot of pressure on the news channels to get breaking news as quickly as possible. Discuss the role media plays with special reference to their coverage of national issues and natural disasters.*

*Many people believe that media houses need to be governed by somebody, discuss.*

### Answer

With the rise of news channels over the past few years, there has been a rise in media coverage. 15-20 years ago; news was limited to one or two broadcasts a day. Now news is broadcasted live, each big story unfurls in front of the viewer. This means that we have greater exposure to a wider array of facts. However, what is important is not the number of facts we have but the number of facts we can use. A lot of the news concentrates on data and facts, but there is very little analysis of what these figures mean.

The constant pressure of engaging the viewers means that many times news channels hype up the details to raise the importance of an issue.

In times of natural disasters, media plays a very important role since it helps spread information. It also prevents panic among people by giving them a clear picture about the actual facts. However, in some cases media channels may go overboard in their zealotry for getting breaking news. There have been cases where relief and rescue missions have accommodated journalists thereby leaving fewer seats for the victims. This was seen in the coverage of the Yazidi crisis in Syria.

Many news persons forget the sensitivity of the situation in their desire to get an exclusive story. So there are situations when victims who have just been rescued have mikes shoved into their faces for a news byte. In some cases the highlight is put on the efforts of only a few which leads to resentment among the general public. We have seen this in Nepal with many people finding the Indian media insensitive and asking them to leave.

In some cases, news channels reveal strategic details unknowingly. We saw this during the 26/11 attack in Mumbai where the terrorists were able to find out many details by watching the news.

This makes one think that maybe there is a need for some kind of regulation. However, there is a big risk in setting up a body to regulate the media houses. The regulatory body could stifle the freedom of the press. A free media is very necessary for a vibrant democracy like India.

Media houses have to evolve a mechanism of self-regulation. This will ensure that the freedom of the media is not curtailed at the same time it will ensure that the media is more responsible and sensitive.

**What is the ethical responsibility of the media?**

Media ethics promotes and defends values such as a universal respect for life and the rule of law and legality. Media Ethics defines and deals with ethical questions about how media should use texts and pictures provided by the citizens.



## CASE STUDY : 15

### Should You Allow a Child Servant for Your Old and Ailing Parents?

*Your parents live alone in your ancestral village. They are now very old and find it difficult to manage. However, due to emotional reasons they are not willing to leave their house. You worry about them a lot. Even though they have a reliable servant, they are often on their own for long times. In case of any emergency they could face a very tough time. You feel that someone should be living with them on a full time basis but it is difficult to find anyone who will agree to live in a village. One day when you go to visit your parents you find a small girl opening the door. Your mother tells you happily that the little girl named Gudiya is the new full time servant. Her father is a driver and her mother is no longer alive, so it is very convenient for them. The girl appears to be 10-12 years old. You tell your mother that it is illegal to employ a minor and the girl should be sent home. However, your mother does not agree, more surprisingly the little girl does not want to leave either.*

*You are faced with a peculiar dilemma. There are two options in front of you.*

- (i) You can force the girl to go home and prevent her from working in this house again.*
- (ii) You can tell your parents that employing a minor is an offense under law. If they continue to employ her you will be forced to inform the police.*

*Suggest any other options. Evaluate all options. What option will you choose and why?*

#### Answer

There are many laws in India that people are not fully conversant with. The Acts against employment of juveniles is one of these. Child labour is a significant problem yet most people do not see its true complexities. I would reject the first option. If I force the girl to go away, she may start working someplace else.

If I tell my parents that employing her is an illegal act, they may not take it seriously. They may argue that by providing her a job and taking care of her, they

are actually saving her from difficult circumstances. They may even argue that this is a victimless crime since the child is not being forced into employment. On the contrary, she is keen to work for them. If I inform the police they may send her away for a few days and employ her again once I have left.

In many situations one has to go beyond the words of the law and see the spirit behind it. This case also merits further study. Both the options given are quite extreme in nature. I would reject both and look for a third option which would create a real solution to the problem. In this case, a better option would be to explain why child labour is illegal. I would first explain to the child that by taking up a job she would be bartering her future for her present. If she is not educated, she would never be able to move ahead in life.

I would explain to my parents that employing a young girl would not solve their problems. The whole point of employing someone is that they may be of assistance in case of any emergency. A young girl with no education would be of very little assistance in any eventuality. I would suggest that they should hire someone who was older and more experienced as a house help. If they want they could help the girl in her studies. This way she could come and meet them regularly and yet she would not have to give up her education.

**What is the age of child Labour?**

Under the child labour law in India, adolescents between the age of 14 and 18 are prohibited from working in any hazardous or dangerous occupations and processes. They can only work in certain government declared non-hazardous occupations or in a family business or as an artist.

## CASE STUDY : 16



### Industry-Environment Debate

***National prosperity is possible only through growth and development. In India the current economic growth rate is around 6%. If we want to be considered among the developed nations we need to have a growth rate of 10-12%. At present industrialists see many areas where economic changes are needed. However, the biggest stumbling block to economic development is seen as the environmental sector. Industrialists claim that environmentalists block every project citing environmental concerns. Environmentalists, on the other hand, say that industrialists are concerned only with costs and profits. They do not consider the holistic effect of the project on the environment.***

***Discuss the on-going debate between industry and environment. Explain both view points and give your suggestions on how the nation can move forward.***

#### **Answer**

Industry and environment are often seen as antagonists. This is not something unique to India, but is seen in many countries of the world. The main reason for this is that both sectors have a different perspective.

Environmentalists always consider their surroundings first. They feel that man is part of a large ecosystem. It is his responsibility to ensure that others are not affected by his unending desires. They can see that the planet is suffering due to high levels of pollution. They are not opposed to industrialization per se, but they oppose any industrial activity which has the ability to affect any ecosystem. Industrialization affects the animals in the surrounding areas, it may affect migration patterns, and it may even destroy many plant species. All this must be considered before any final decision is taken. They argue that future generations may have to pay the price for decisions we make today.

Industrialists on the other hand, see things in terms of costs and benefits. For them the monetary value of things define their worth. Since the benefits of the environment may not have monetary value, they are often ignored in the final decisions.

For many years both have coexisted peacefully. The tussle has grown over the years as man's footprint on the planet has increased. Due to the growing population and higher expectations of citizens, there is a higher demand for many products. However, fulfilling this demand may strain the environment. For instance, dams provide hydroelectricity which is better for the environment than thermal energy. However, building dams affects the aquatic animals and the surrounding plants. In many cases large deposits of minerals are found under virgin forests. Access to these could reduce costs of products making them available to many. Accessing these deposits means destroying the forests.

Conflicts are reduced when the antagonists start working together. The important thing to consider is that both parties want the same objective; a better quality of life. They determine it in different ways. To reduce the dissension, we have to find different means of reaching the same objective, for example, instead of building big dams which could affect the river systems; there is now a growing demand for multiple smaller dams which have lesser environmental impact.

The tussle between environment and industry has to be seen as different options of reaching the same objective rather than just as differing options.

**What are the three types of sustainable development?**

The concept of Sustainable Development has in the past most often been broken into three constituent parts: Environmental sustainability, Economic Sustainability and sociopolitical Sustainability.

**The six principles of sustainable development are follows:**

- Conservation of ecosystem.
- Development of sustainable society.
- Conservation of biodiversity.
- Control of population growth.
- Development of human resources.
- Promotion of public participation.