

ETHICS: INTRODUCTION

Ethics is a **set of standards that society places on itself** and which help **guide behaviour, choices and actions**. Standards do not, by themselves, ensure ethical behaviour; that requires a robust culture of integrity. The crux of ethical behaviour does not lie in bold words and expressions enshrined as standards, but in their **adoption in action, in sanctions against their violations**, in putting in place competent disciplinary bodies to investigate allegations of violations and impose sanctions quickly and in promoting a culture of integrity.

Corruption is an important manifestation of the failure of ethics. It is unfortunate that corruption has, for many, become a matter of habit, ranging from grand corruption involving persons in high places to retail corruption touching the everyday life of common people. Corruption is **so deeply entrenched** in the system that most people regard corruption as inevitable and any effort to fight it as futile.

There are **two, somewhat contrary, approaches** in dealing with corruption and abuse of office. The **first** is **overemphasis on values and character**. Many people lament the decline in values and the consequent rise in corruption. The implicit assumption is that until values are restored, nothing much can be done to improve the conduct of human beings. The **second** approach is based on the belief that **most human beings are fundamentally decent** and socially conscious, but there are always a small proportion of people, which cannot reconcile individual goals with the good of society. Such deviant people tend to pursue personal gain at the cost of public good and the purpose of organized government is to **punish such deviant behaviour**. If good behaviour is consistently rewarded and bad behaviour consistently punished, the bulk of the people follow the straight and narrow path.

In the real world, **both values and institutions matter**. Values are needed to serve as guiding stars, and they exist in abundance in our society. A **sense of right and wrong** is intrinsic to our culture and civilization. But values need to be sustained by institutions to be durable and to serve as an example to others. **Values without institutional support** will soon be weakened and dissipated. Institutions provide the container, which gives shape and content to values.

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While **incentives and institutions matter for all people**, they are critical in dealing with the army of public servants – elected or appointed – endowed with authority to make decisions and impact on human lives and exercising the power to determine allocation of resources. **Public office and control over public purse** offer enormous temptation and opportunity to promote private gain at public cost. Therefore, creation of institutions and designing of incentives are of utmost importance in promoting ethical conduct of public servants.

In our society, corruption and abuse of office has been aggravated by three factors. First, there is a **colonial legacy of unchallenged authority and propensity to exercise power arbitrarily**. In a society which worships power, it is easy for public officials to deviate from ethical conduct. Second, there is **enormous asymmetry of power** in our society. Nearly 90% of our people are in the unorganized sector. Quite a number of them lead a precarious existence. And nearly 70% of the organized workers with job security and regular monthly wage are employed by the state directly or through public sector undertakings. Almost all these employees are ‘educated’ in a largely illiterate and semiliterate society. Such **asymmetry of power reduces societal pressure to conform to ethical behaviour** and makes it easy to indulge in corruption.

Third, as a conscious choice, the Indian state in the early decades after Independence chose a **set of policies whose unintended consequence was to put the citizen at the mercy of the State**. Over regulation, severe restrictions on economic activity, excessive state control, **near-monopoly of the government** in many sectors and an economy of scarcity all created conditions conducive to unbridled corruption. In addition, many state subsidies and beneficiary-oriented programmes in a situation of asymmetry of power converted the public servant into patron and master.

It is generally recognized that **monopoly and discretion increase the propensity to corruption**, while competition and transparency reduce corruption. This has been dramatically witnessed in India in the wake of economic liberalization. As competition came in and choice expanded, corruption plummeted. Similarly, wherever technology and transparency have been introduced, corruption has been significantly contained. **Computerization and access to information have made** many services from railway reservation to issuing of driving licenses increasingly **free from corruption**.

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A factor **which increases corruption is over-centralization**. The more remotely power is exercised from the people, the greater is the distance between authority and accountability. The large number of functionaries between the citizen and final decision-makers makes accountability diffused and the temptation to abuse authority strong. For a large democracy, India probably has the smallest number of final decision makers. Local Government is not allowed to take root and **power has been concentrated both horizontally and vertically in a few hands**. The net results are weakened citizenry and mounting corruption.

It is well recognized that every **democracy requires the empowerment of citizens** in order to hold those in authority to account. **Right to Information**, effective **citizens' charters**, opportunity and incentives to promote proactive approach of citizens, **stake-holders' involvement in delivery of public services**, **public consultation in decision making** and **social auditing** are some of the instruments of accountability that dramatically curbed corruption and promoted integrity and quality of decision making.

In the ultimate analysis, the state and a system of laws exist in order to enforce compliance and promote desirable behaviour. Therefore, **enforcement of rule of law and deterrent punishment against corruption** are critical to build an ethically sound society.

Perhaps the most important determinant of the integrity of a society or the prevalence of corruption is the quality of politics. If politics attracts and rewards men and women of integrity, competence and passion for public good, then the society is safe and integrity is maintained. But if **honesty is incompatible with survival in politics**, and if public life attracts undesirable and corrupt elements seeking private gain, then abuse of authority and corruption become the norm. In such a political culture and climate, desirable initiatives will not yield Ethics in Governance adequate dividends. Competition and decentralization certainly reduce corruption in certain sectors.

But if the **demand for corruption is fuelled by inexhaustible appetite for illegitimate funds in politics**, then other avenues of corruption will be forcibly opened up. As a result, even as corruption declines in certain areas, it shifts to other, sometimes more dangerous, areas in which competition cannot be introduced and the state exercises a natural monopoly. What is needed with liberalisation is corresponding political and governance reform to alter the incentives in politics and public office and to promote integrity and ethical conduct.

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All forms of corruption are reprehensible and we need to promote a culture of zero-tolerance of corruption. In a vast majority of cases of bribery, the citizen is a victim of extortion and is compelled to pay a bribe in order to get a service to which he is entitled. Experience has taught most citizens that there is a **vicious cycle of corruption operating and they often end up losing much more by resisting corruption**. Delays, harassment, lost opportunity, loss of precious time and wages, uncertainty and, at times, potential danger of loss of life or limb could result from resistance to corruption and non-compliance with demands. In such cases, the **citizen is an unwilling victim of coercive corruption**.

But there are **several cases of collusion between the bribe giver and corrupt public servant**. In such cases of collusive corruption, both parties benefit at immense cost to society. Awarding of contracts for public works and procurement of goods and services, recruitment of employees, evasion of taxes, substandard projects, collusive violation of regulations, adulteration of foods and drugs, obstruction of justice and concealing or doctoring evidence in investigation are all examples of such dangerous forms of corruption. **As the economy is freed from state controls, extortionary corruption declines and collusive corruption tends to increase**. We need to fashion strong and effective instruments to deal with this growing menace of collusive corruption, which is undermining the very foundations of our democracy and endangering society.

Corruption is a global phenomenon and has also become a serious global concern. The **United Nations Convention against Corruption was adopted by the UN General Assembly in October 2003**, providing an international instrument against corruption. The ADBOECD Anti-Corruption Action Plan, which has been signed by the Government of India, is a broad understanding to further the cause of inter-regional cooperation in the matter of prevention of corruption. The **World Bank has also declared war against corruption** by refusing to fund projects whose implementation is tainted by corrupt practices. At the annual meeting of the International Monetary Fund and the World Bank Group in Singapore in 2006, a joint statement was issued with major multilateral financial institutions agreeing on a framework for preventing and combating fraud and corruption in the activities and operations of their institutions.

In India, some recent anti-corruption initiatives are steps in the right direction. The **Supreme Court has ruled that candidates contesting elections should file details regarding their wealth, educational qualifications and criminal antecedents** along with their nomination papers. The Right to Information

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Act, which has recently been enacted, is a potent weapon to fight corruption. The introduction of information communication technologies, e-governance initiatives and automation of corruption prone processes in administration have succeeded in reducing corruption.

Ethics in governance, however, has a much wider import than what happens in the different arms of the government. An across-the-board effort is needed to fight deviations from ethical norms. Such an effort needs to include corporate ethics and ethics in business; in fact, **there should be a paradigm shift from the pejorative „business ethics“ to „ethics in business“**. There is need for ethics in every profession, voluntary organization and civil society structure as these entities are now vitally involved in the process of governance. Finally, there should be ethics in citizen behaviour because such behaviour impinges directly on ethics in government and administration.

ETHICAL FRAMEWORK

ETHICS AND POLITICS

While **it is unrealistic and simplistic to expect perfection in politics in an ethically imperfect environment**, there is no denying the fact that the standards set in politics profoundly influence those in other aspects of governance. Those in politics have a clear and onerous responsibility. India was fortunate that **high standards of ethical conduct** were an integral part of the freedom struggle. Unfortunately, ethical capital started getting eroded after the **transfer of power**.

Excesses in elections (in campaign-funding, use of illegitimate money, quantum of expenditure, imperfect electoral rolls, impersonation, booth-capturing, violence, inducements and intimidation), floor-crossing after elections to get into power and abuse of power in public office became major afflictions of the political process over the years.

Participation of criminals in the electoral process is the soft underbelly of our political system. The growth of crime and violence in society is due to a number of **root causes**. Flagrant violation of laws, poor quality of services and the corruption in them, protection for law-breakers on political, group, class, communal or caste grounds, partisan interference in investigation of crimes and poor prosecution of cases, **inordinate delays lasting over years and high costs in the judicial process**, mass withdrawal of cases, indiscriminate grant of parole, etc., are the more important of the causes.

The criminal who, paradoxically, is able to ensure speedy justice in some cases becomes almost a —welcome character. On his part, the criminal builds on this —acceptance and is emboldened to enter politics and elections. As for **political parties**, such individuals bring into the electoral process, their ability to secure votes through **use of money and muscle power**. To the extent that it did, it led to a situation when the Election Commission formally stated that one in **6 legislators** in India faced grave criminal charges.

Large, illegal and illegitimate expenditure in elections is another root cause of corruption. While there are formal limits to expenditure and some steps

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have been put in place in an attempt to check them, in reality, actual expenditure is alleged to be far higher. This results in „**unavoidable**“ and **ubiquitous corruption** altering the nature of political and administrative power and undermining trust and democracy. **Cleansing elections** is the most important route to improve ethical standards in politics, to curb corruption and rectify maladministration.

ISSUES IN POLITICAL REFORMS

Despite the measures taken, improvements are marginal in the case of important problems of criminalization, the **use of money in elections**, subtle forms of inducements and patronage in the form of chairmanships and memberships of public units and the anomaly of legislators functioning as disguised executives. More effective steps have, therefore, been suggested.

1. Reform of Political Funding: In India, one of the sources of funding of political parties has been through **private donations**. Internationally, there are **3 broad patterns of state funding** for political parties and elections. **One** is the **minimalist pattern**, wherein elections alone are partially subsidized usually through specific grants or state rendered services. Candidates are accountable to the public authority for observance, reporting and disclosure of expenditure for the limited election period. The **UK, Ireland, Australia, New Zealand and Canada** are examples of this pattern, while the US is a variant of the same with election funding being largely private and subjected to strict reporting and disclosure requirements as well as limits on contributions.

The **second, maximalist pattern of state funding** involves public funding not merely for elections but even for other party activities, as in Sweden and Germany. This pattern involves less detailed regulation of contributions and expenditure because parties are dependent largely on state support and local requirements enforce internal democracy as well as **general transparency**. In between, there are a variety of mixed patterns involving partial reimbursement for public funding of elections on a matching grant basis such as in **France, Netherlands and South Korea**.

While the **Representation of the People Act** puts limits on election expenditure, company donations to political party were banned in 1969 but later allowed by an amendment of the Companies Act in 1985. The **Dinesh Goswami Committee on Electoral Reforms set up in 1990** recommended limited support,

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in kind, for vehicle fuel, hire charges of microphones, etc., while simultaneously recommending a ban on company donations. Another Committee, the **Indrajit Gupta Committee** on State Funding of Elections has recommended **partial state-funding mainly in kind**. However, the **National Committee for** Review of the Constitution has expressed the view that until better regulatory mechanism for political parties can be developed in India, state funding of elections should be deferred.

Parliament in 2003 unanimously enacted the Election and Other Related Laws (Amendment) Act in a spirit of bipartisanship. The Act contains the following key provisions:

- **Full tax exemption** to individuals and corporates on all contributions to political parties.
- **Expenditure by third parties and political parties** now comes under ceiling limits, and only travel expenditure of leaders of parties is exempt.
- **Disclosure of party finances** and contributions over Rs. 20, 000.
- **Indirect public funding** to candidates of recognized parties including free supply of electoral rolls, and such items as the Election Commission decides in consultation with the union government.
- **Equitable sharing of time** by the recognized political parties on the cable television network and other electronic media (public and private).

:: **2nd ARC** recommended that a system for **partial state funding** should be introduced in order to reduce the scope of illegitimate and unnecessary funding of expenditure for elections.

2. Tightening of anti-defection law: Defection has long been a malaise of Indian political life. The anti-defection legislation that was enacted to combat this malaise, fixed a certain number above which defection in a group was permitted. **Legalizing such selective defection however, provided opportunities for transgressing political ethics and opportunism.** There is no doubt that permitting defection in any form or context is a travesty of ethics in politics.

The **91st Amendment** to the Constitution was enacted in 2003 to tighten the anti- defection provisions of the **10th Schedule**, enacted earlier in 1985. This Amendment makes it mandatory for all those switching political sides– whether singly or in groups – to resign their legislative membership. They now have to **seek re-election if they defect and cannot continue in office by engineering a „split“ of one-third of members**, or in the guise of a „continuing split of a party“.

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The Amendment also bars legislators from holding, post-defection, any office of profit. This Amendment has thus made defections virtually impossible and is an important step forward in cleansing politics.

The Election Commission has recommended that the question of **disqualification** of members on the ground of defection should also be **decided by the President/Governor** on the advice of the Election Commission.

- 3. Disqualification:** There are candidates who face **grave criminal charges** like murder, abduction, rape and dacoity, unrelated to political agitations. In such cases, there is need for a fair reconciliation between the candidate's right to contest and the community's right to good representation. In the present situation, on balance, in cases of persons facing grave criminal charges framed by a trial court after a preliminary enquiry, disallowing them to represent the people in legislatures **until they are cleared of charges** seems to be a fair and prudent course. But care must be exercised to ensure that **no political vendetta** is involved in such charges and people facing charges related to political agitations are not victimized. The Election Commission has suggested that as a **precaution against motivated cases**, it may be provided that only cases filed **6 months** before an election would lead to such disqualification.
- 4. False Declarations:** The Election Commission has recommended that **all false declarations** before the Returning Officer, Electoral Officer, Chief Electoral Officer or the Election Commission should be made **an electoral offence**.

COALITION AND ETHICS

The phenomenon of **coalition politics has emerged as a strong presence** in the Indian polity in recent years. The very diversity and complexity of the Indian electorate and our vibrant democracy has made this a familiar aspect of our electoral process. The ethics of coalition government is, however, seriously strained when the coalition partners change partnerships mid-stream and new coalitions are formed, primarily driven by opportunism and craving for power in utter disregard of the common minimum programme agreed to for the **realization of the goal of socio-economic development**.

The **common programme**, which has been explicitly mandated by the electorate prior to the election, or implicitly after the election but before the formation of

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the government, becomes non-existent, and the power given by the people is abused. To maintain the will of the people, it is necessary to lay down an **ethical framework to ensure that such exercises in opportunism, through redrawing of coalitions** between elections, do not take place.

The Constitution should be amended to ensure that if one or more parties in a coalition with a **common programme mandated by the electorate** either explicitly before the elections or implicitly while forming the government, **realign midstream** with one or more parties outside the coalition, then Members of that party or parties shall have to **seek a fresh mandate** from the electorate.

APPOINTMENT OF THE CHIEF ELECTION COMMISSIONER/ COMMISSIONERS

The present procedure of appointment of the Chief Election Commissioner and other Election Commissioners is laid down in **Article 324** of the Constitution and stipulates that they are to be appointed by President on the **advice of Prime Minister**.

During debates in the Constituent Assembly on the procedure for appointment, there were suggestions that the person appointed as the Chief Election Commissioner should enjoy the confidence of all parties and therefore his appointment should be confirmed by a **2/3 majority of both the Houses**.

In recent times, for **statutory bodies** such as the NHRC and CVC, appointment of Chairperson and Members are made on the recommendations of a broad based Committee. Given the far reaching importance and critical role of the Election Commission in the working of our democracy, it would certainly be appropriate if a **similar collegium** is constituted **for selection of the Chief Election Commissioner** and the Election Commissioners.

A collegium should be headed by the **Prime Minister** with the **Speaker of the Lok Sabha**, the **Leader of Opposition in the Lok Sabha**, **Law Minister** and the **Deputy Chairman** of the Rajya Sabha as members should make recommendations for the consideration of the President for appointment of the Chief Election Commissioner and the Election Commissioners.

EXPEDITING DISPOSAL OF ELECTION PETITIONS

Election petitions in India are at present to be filed in the **High Court**. Under the Representation of the People Act, such petitions should be **disposed of within a period of 6 months**. In actual practice however, such petitions remain pending for years. **Special Election Tribunals** should be constituted at the regional level under **Article 323B** of the Constitution to ensure speedy disposal of election petitions and disputes within a stipulated period of 6 months.

GROUNDINGS OF DISQUALIFICATION FOR MEMBERSHIP

Article 102 of the Constitution provides for disqualification for membership of either House of Parliament under certain specific circumstances. Parliament has also been authorized to pass a law to include any further conditions for such disqualification. So far, **no such law** has been enacted. Appropriate legislation may be enacted under Article 102 of the Constitution spelling out the **conditions for disqualification of membership of Parliament in an exhaustive** manner.

RECENT IMPROVEMENTS

Despite all the flaws in the functioning of a democracy, it has a measure of self correction. As stated earlier, significant efforts have been made over the last two decades to bring about **meaningful electoral reforms**. Some have observed that the **past decade has seen more political reform in India than in any other large democracy** after the Second World War. Briefly stated, the more important of the reforms relate to:

- 1. Improvement in Accuracy of Electoral Rolls:** The Election Commission has made efforts to make **voter registration more accessible** to voters. Printed electoral rolls/CDs have been made available for sale. **Computerization of entire electoral rolls** of over 620 million voters has been initiated. The provision of **photo-identity cards** for all voters has been started. Studies by civil society organizations like **Loksatta** have shown considerable improvement and reduction in errors in electoral rolls between 1999 and 2004.
- 2. Disclosure of Antecedents of Candidates:** The Supreme Court has directed that a **candidate should declare any conviction** by a court or whether a criminal case is pending against him. The direction to file a **declaration of assets and liabilities** of

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the candidate and family members would enable a check at the time of the next elections.

- 3. Disqualification of Persons Convicted of Criminal Offence:** The Supreme Court ruled in 2005 that **Section 8(4) of the Representation of the People Act was unconstitutional** as it violated equality before law. Now all convicted candidates stand at an election on the same footing, whether at the time of conviction they were incumbent legislators or not.
- 4. Enforcement of the Code of Conduct:** Using its over-all powers to –superintend, control and direct elections under Article 324 of the Constitution, the **Election Commission has made the Code of Conduct for elections binding in all respects**, issuing directions regarding timings of campaigns, prohibition of festoons/cutouts, insistence on daily expenditure statements, appointment of a large number of observers, ordering of re-poll in specific polling booths and other such steps.
- 5. Free and fearless polling:** Policing arrangements have been improved, including **greater use of Central Forces** and holding of **elections for more than one day in a State**, and measures like sealing of borders, etc. **Electronic voting machines** have been introduced throughout the country.
- 6. Reduction in size of Council of Ministers:** A recommendation to **restrict the size to 10%** was made by the **first ARC** more than three decades ago. The **91st Amendment Act, 2003** restricts the size of the Council of Ministers to 15% of the strength of the Lower House in Parliament/State legislature.

ETHICS IN PUBLIC LIFE

Ethics is grounded in the notion of responsibility and accountability. In democracy, every holder of public office is **accountable ultimately to the people**. Such accountability is enforced through a system of laws and rules. Ethics provides the basis for the creation of such laws and rules.

The fundamental principle in a democracy is that all persons holding authority derive it from the people; in other words, **all public functionaries are trustees of the people**. The trusteeship relationship between the public and the officials requires that the authority entrusted to the officials be exercised in the best interest of the people or in ‘public interest’.

The **role of ethics in public life has many dimensions**. Any framework of ethical behavior must include the following elements:

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- a. Codifying ethical norms and practices.
- b. Disclosing personal interest to avoid conflict between public interest and personal gain.
- c. Creating a mechanism for enforcing the relevant codes.
- d. Providing norms for qualifying and disqualifying a public functionary from office.

A system of laws and rules, however elaborate, cannot provide for all situations. It is no doubt **desirable, and perhaps possible, to govern the conduct of those who occupy positions in the lower echelons and exercise limited or no discretion.** But the higher the echelon in public service, the greater is the ambit of discretion. And it is difficult to provide for a system of laws and rules that can comprehensively cover and regulate the exercise of discretion in high places.

One of the most comprehensive statements of what constitutes ethical standards for holders of public office came from the **Committee on Standards in Public Life in the United Kingdom** outlined the following 7 principles of public life:

- 1. Selflessness:** Holders of public office should take decisions solely in terms of public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.
- 2. Integrity:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organizations that might influence them in the performance of their official duties.
- 3. Objectivity:** In carrying out public business, including making public appointments, awarding contracts or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- 4. Accountability:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- 5. Openness:** Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- 6. Honesty:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- 7. Leadership:** Holders of public office should promote and support these principles by leadership and example.

INTERNATIONAL APPROACH

By its Resolution of 2003, the General Assembly adopted the **United Nations Convention against Corruption. Article 8** of the Resolution states:

CODES OF CONDUCT FOR PUBLIC OFFICIALS

1. In order to fight corruption, each State Party shall promote, inter alia, **integrity, honesty and responsibility** among its public officials, in accordance with the fundamental principles of its legal system.
2. In particular, each State Party shall endeavor to apply, within its own institutional and legal systems, **codes or standards of conduct for the correct, honourable and proper performance** of public functions.
3. For the purposes of implementing the provisions of this article, each State Party shall, where appropriate and in accordance with the fundamental principles of its legal system, take note of the relevant initiatives of regional, interregional and multilateral organizations, such as the **International Code of Conduct for Public Officials**.
4. Each State Party shall also consider, in accordance with the fundamental principles of its domestic law, establishing measures and systems to facilitate the **reporting by public officials of acts of corruption to appropriate authorities**, when such acts come to their notice in the performance of their functions.
5. Each State Party shall endeavor, where appropriate and in accordance with the fundamental principles of its domestic law, to establish measures and systems requiring public officials to make declarations to appropriate authorities regarding, inter alia, their **outside activities, employment, investments, assets and substantial gifts or benefits** from which a conflict of interest may result with respect to their functions as public officials.
6. Each State Party shall consider taking, in accordance with the fundamental principles of its domestic law, disciplinary or other measures against public officials who violate the codes or standards established in accordance with this article.¶

Various countries have, from time to time, addressed the issue of prescribing a **Code of conduct in Belize**; the Code of Conduct for public functionaries is prescribed in the Constitution itself.

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CODE OF GOOD GOVERNANCE OF SPAIN

It is necessary for public authorities to offer citizens an undertaking that all the senior officers must satisfy not only the obligations laid down by law, but, in addition, their **conduct must be inspired and be guided by principles of ethics and good conduct** which have not yet been expressly stated in the regulations – although they are no doubt implicit – and which offer a code of good governance....

Members of the Government and the senior officers of the General State Administration shall carry out their activities in accordance with the following principles of ethics and good conduct developed in this Code: **objectivity, integrity, neutrality, responsibility, credibility, impartiality, confidentiality, dedication to public service, transparency, exemplary conduct, austerity, accessibility, efficiency, honesty and promotion of the cultural and environmental environment and of equality between the sexes....**

Any person who is privileged to guide the destiny of the people **must not only be ethical but must be seen to practice these ethical values**. Although all citizens are subject to the laws of the land, in the case of public servants there must be standards of behaviour more stringent than those for an ordinary citizen. It is at the interface of public action and private interest that the need arises for establishing not just a code of ethics but a code of conduct. A code of ethics would cover broad guiding principles of good behaviour and governance while a more specific code of conduct should, in a precise and unambiguous manner, stipulate a list of acceptable and unacceptable behaviour and action.

ETHICAL FRAMEWORK FOR MINISTERS

In **Canada, the Guide for Ministers (2006)** sets out core Principles regarding the role and responsibilities of Ministers. It outlines standards of conduct expected of Ministers as well as addressing a range of administrative, procedural and institutional matters. In **UK, the Ministerial Code** provides guidance to Ministers on how they should act and arrange their affairs in order to uphold these standards.

Government of India has prescribed a **Code of Conduct which is applicable to Ministers** of both the Union and State Governments. In addition to the observance of the provisions of the Constitution, the **Representation of the People**

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Act, 1951, and any other law for the time being in force, the Code of Conduct merits reproduction here.

1. a person **before taking office as a Minister**, shall:
 - a. Disclose to the Prime Minister, or the Chief Minister, as the case may be, details of the **assets and liabilities**, and of business interests, of himself and of members of his family. The details to be disclosed shall consist of particulars of all immovable property and the total approximate value of (i) shares and debentures, (ii) cash holdings and (iii) jewellery;
 - b. **sever all connections**, short of divesting himself of the ownership, with the conduct and management of any business in which he was interested before his appointment as Minister; and
 - c. with regard to a business concern which supplies goods or services to the Government concerned or to undertakings of that Government or whose business primarily depends on licenses, permits, quotas, leases, etc., received or to be received from the Government concerned, **divest himself of all his interests in the said business** and also of the management thereof.

2. **After taking office**, and so long as he remains in office, the **Minister shall**:
 - a. **furnish annually by the 31st March** to the Prime Minister, or the Chief Minister, as the case may be, a declaration regarding his assets and liabilities;
 - b. refrain from **buying from or selling to**, the Government any immovable property except where such property is compulsorily acquired by the Government in usual course;
 - c. refrain from starting, **or joining, any business**;
 - d. ensure that the **members of his family** do not start, or participate in, business concerns, engaged in supplying goods or services to that Government (excepting in the usual course of trade or business and at standard or market rates) or dependent primarily on grant of licenses, permits, quotas, leases, etc., from that Government; and
 - e. **report the matter to the Prime Minister**, or the Chief Minister as the case may be, if any member of his family sets up, or joins in the conduct and management of, any other business.

3. **No Minister should**: Personally, or through a member of his family, **accept contribution** for any purpose, whether political, charitable or otherwise, or, **Associate himself with the raising of funds** except for the benefit of (i) a

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registered society, or a charitable body, or an institution recognised by a public authority and (ii) a political party.

4. A Minister should **not permit their spouse and dependents to accept employment** under a Foreign Government, in India or abroad, or in a foreign organisation (including commercial concerns) without prior approval of the Prime Minister.
5. **A Minister should not accept valuable gifts** except from close relatives, and he or members of his family should not accept any gifts at all from any person with whom he may have official dealings; and
6. A **Minister may receive gifts** when he goes abroad or from foreign dignitaries in India. Such gifts fall into two categories. The first category will include gifts, which are of symbolic nature, like a sword of honour, ceremonial robes etc. and which can be retained by the recipients. The second category of gifts would be those which are not of symbolic nature. If its value is less than Rs. 5,000/- it can be retained by the Minister.
7. **A Minister should** while on **official tour**, as far as practicable, stay in accommodation belonging to himself or maintained by Government and avoid attending, as far as possible, **ostentatious or lavish parties** given in his honour.
8. The authority for ensuring the observance of the Code of Conduct will be the **Prime Minister** in the case of Union Ministers, the Prime Minister and the Union Home Minister in the case of **Chief Ministers**, and the Chief Minister concerned in the case of State Ministers.

The Code of Conduct is a starting point for ensuring good conduct by Ministers. However, it is not comprehensive in its coverage and is more in the nature of a list of prohibitions; it does not amount to a Code of Ethics. It is therefore necessary that in addition to the Code of Conduct, there should be a **Code of Ethics to provide guidance on how Ministers should uphold the highest standards** of constitutional and ethical conduct in the performance of their duties.

- a. Ministers must uphold the **highest ethical standards**;
- b. Ministers must uphold the principle of **collective responsibility**;
- c. Ministers have a duty to Parliament to account, and be held to account, for the policies, decisions and actions of their departments and agencies;
- d. Ministers must ensure that no conflict arises, between their public duties and their private interests;

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- e. Ministers in the Lok Sabha must **keep separate their roles as Minister and constituency member**;
- f. Ministers must **not use government resources** for party or political purposes;
- g. Ministers must uphold the **political impartiality** of the Civil Service and not ask civil servants to act in any way, which would conflict with the duties and responsibilities of civil servants;
- h. Ministers must ensure that public moneys are used with **utmost economy and care**;
- i. Ministers must function in such a manner as to **serve as instruments of good governance**.
- j. Ministers must act objectively, impartially, honestly, equitably, diligently and in a **fair and just manner**.

Dedicated units should be set up in the offices of the Prime Minister and the Chief Ministers of the states to monitor the observance of the Code of Conduct. The Code of Conduct for Ministers, duly amplified, should be put in the public domain as some other countries have done.

As **coalition politics** has become the order of the day it is particularly appropriate to ensure that the ministers from the **coalition partners** both at the Centre and the State **also adhere to the Code of Ethics/Conduct** and the Prime Minister and the Chief Ministers are duty bound to put violation of these Codes in public domain.

The **Prime Minister or the Chief Minister should be duty bound to ensure the observance of the Code of Ethics and the Code of Conduct** by Ministers. This would be applicable even in the case of coalition governments where the Ministers may belong to different parties. The Code of Ethics should inter alia include broad principles of the **Minister-civil servant relationship** and the Code of Conduct should stipulate the details as illustrated above.

ETHICAL FRAMEWORK FOR LEGISLATORS

EXPERIENCE IN OTHER COUNTRIES

Among the four pillars of an ideal democratic structure, the legislature has the most important position. This demands that the requirement of ethical standards for the executive must be preceded by an equally **emphatic requirement of ethical standards for legislators**.

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The **US Constitution**, grants broad authority to Congress to discipline its Members. In 1964, the Senate created the **Senate Select Committee on Standards and Conduct**. In 1968, the Senate adopted its first official code of conduct. The Senate Code of Conduct regulates financial disclosures, gifts, travel reimbursements, conflicting interests, post employment restrictions, employment practices etc.

The **UK House of Commons** adopted the present **Code of Conduct for its Members 1995**. The purpose of this Code of Conduct is to assist Members in the discharge of their obligations to the House, their constituents and the public at large by providing guidance on the standards of conduct expected of Members in discharging their parliamentary and public duties.

COMMITTEE ON ETHICS OF THE RAJYA SABHA

The **Committee on Ethics was first constituted by the Chairman of the House on 1997**. It dealt with matters such as values in public life, criminalization of politics and electoral reforms. It suggested a framework for a Code of Conduct for Members of the Rajya Sabha. The following is the **existing framework** of the Code of Conduct for **Members of the Rajya Sabha**:

- a. Members must **not do anything that brings disrepute** to the Parliament and affects their credibility.
- b. Members must utilize their position as Members of Parliament to **advance general wellbeing** of the people.
- c. In their dealings if Members find that there is a **conflict between their personal interests and the public trust**, which they hold, they should resolve such a conflict in a manner that their private interests are subordinated to the duty of their public office.
- d. Members should **never expect or accept any fee, remuneration or benefit** for a vote given or not given by them on the floor of the House, for introducing a Bill, for moving a resolution, putting a question or abstaining from asking a question or participating in the deliberations of the House or a Parliamentary Committee.
- e. Members should **not take a gift, which may interfere with honest and impartial discharge of their official duties**. They may, however, accept incidental gifts or inexpensive mementoes and customary hospitality.
- f. Members holding public offices should **use public resources** in such a manner as may lead to public good.

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- g. If Members are in possession of confidential information owing to their being Members of Parliament or Members of Parliamentary Committees, they should **not disclose such information** for advancing their personal interests.
- h. Members are expected to maintain **high standards of morality, dignity, decency** and values in public life.

COMMITTEE ON ETHICS OF THE LOK SABHA

There is a Committee on Ethics of the Lok Sabha to oversee the moral and ethical conduct of Members of that House. Apart from the existing norms, the Committee recommended that the members should abide by the **general ethical principles** similar to those of Rajya Sabha.

Only a **few State Legislatures** such as Andhra Pradesh, Orissa etc. have adopted Codes of Conduct for their Legislators. A Resolution was unanimously adopted at the „**All India Conference of Presiding Officers, held 2001**. The Resolution included adoption of a Code of Conduct for Legislators. It was also recommended that Ethics Committees be constituted in all Legislatures where these have not already been constituted for enforcing the Code of Conduct.

DISCLOSURE OF INTEREST

One way of avoiding conflict between public and private interest is through **disclosure of one's interest**. This by itself cannot resolve the conflict of interest but is a good first step as it acknowledges the possibility of such a conflict. Legislatures in different countries have adopted different approaches to this issue.

The rules of the **US Congress and the Australian and Canadian Parliaments** do not allow a legislator to vote if they have a direct pecuniary interest. In **India**, disclosure of interest is **provided in both Houses of Parliament**, a Member having a personal pecuniary or direct interest on a matter before the House is required, while taking part in the proceedings in that matter, to declare the nature of interest.

The **Rules of Procedure and Conduct of Business in the Lok Sabha** prescribe that if the vote of a Member in a division in the House is challenged on grounds of personal, pecuniary or direct interest in the matter to be decided, the Speaker may examine the issue and decide whether the vote of the Member should be disallowed or not and his decision shall be final.

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REGISTER OF INTERESTS

A specific mechanism for **disclosure of private interests** is maintenance of a 'Register of Interests'. Legislators are expected to record in the register all their interests periodically. In order to make the system practical, the **types of interest**, which require disclosure, are prescribed. A closely related mechanism is declaration of the assets and liabilities of the members at regular intervals.

The **Committee on Ethics of the Rajya Sabha** recommended that to start with the following interests of Members should be entered in the Register:

- 1) Remunerative Directorship;
- 2) Regular Remunerated Activity;
- 3) Shareholding of Controlling Nature;
- 4) Paid Consultancy; and
- 5) Professional Engagement

FILING ASSETS AND LIABILITIES STATEMENT

The Representation of the People Act, 1951, has been **amended by the Representation of the People (Third Amendment) Act, 2002** which stipulates that every elected candidate for a House of Parliament or the Legislature of the State, shall, within ninety days from the date on which he/she makes and subscribes an oath or affirmation, files the details of his/her assets/liabilities to the Chairman of the Council of State or the Legislative Council, or the Speaker of Lok Sabha or the Legislative Assemblies as the case may be.

From the above it is evident that both Houses of Parliament have provided for Codes of Conduct and also norms for **disclosure of interest and declaration of assets and liabilities** of their Members. The Committees on Ethics of both the Lok Sabha and the Rajya Sabha have been mandated to oversee the moral and ethical conduct of members.

ENFORCEMENT OF ETHICAL NORMS IN LEGISLATURES

In India, both Houses of Parliament have on occasions acted firmly against violation of ethical principles. As early as **in 1951**, an ad hoc Committee of the House was appointed by the Provisional Parliament to investigate into the conduct of **Shri H G Mudgal**. The Committee came to the conclusion that Shri Mudgal's conduct in accepting

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money and other benefits **from the Bombay Bullion Association for extending certain favours** to them in Parliament was derogatory to the dignity of the House and inconsistent with the expected standards of behaviour.

In **December 2005**, allegations of improper conduct, made in **news telecasts of the „Aaj Tak“** television channel, regarding the acceptance of money by ten Members of the Lok Sabha for asking questions or raising other matters in the House, were enquired into by an **Enquiry Committee of the House**. The Committee came to the conclusion that the conduct of the said Members was unbecoming of a Member of Parliament and also unethical. The Committee recommended the **expulsion of the Members from the House**, a proposal that was accepted by the House.

Rules of Procedure and Conduct of Business in the Observations made by Pandit Jawahar Lal Nehru, India's first Prime Minister while speaking on the motion for **expulsion of Shri H D Mudgal on 24 September, 1951** Council of States' stipulate that the Committee on Ethics would oversee the moral and ethical conduct of Members and examine cases concerning the alleged breach of the Code of Conduct by Members as also cases concerning allegations of any other ethical misconduct of members. The Committee may also take up matters suo motu. If, upon enquiry, it is **found that a Member has indulged in unethical behaviour** or that there is other misconduct or that the Member has contravened the Code/Rules, the Committee may recommend the imposition of an appropriate sanction.

While the enunciation of ethical values and codes of conduct puts moral pressure on public functionaries, they need to be backed by an effective monitoring and enforcement regime. Legislatures the world over have adopted different models for this purpose. The **Canadian Ethics Commissioner** oversees the Code and provides advice. The Ethics Commissioner is an Officer of Parliament. The Commissioner reports on the inquiries he conducts pursuant to the Members' Code and makes annual reports to the House of Commons on his activities in relation to its Members.

Overseeing the maintenance and monitoring the **operation of the Register of Members' Interests**.

Providing advice on a confidential basis to individual Members and to the Select Committee on Standards and Privileges about the **interpretation of the Code of Conduct** and Guide to the Rules relating to the Conduct of Members.

Preparing **guidance and providing training** for Members on matters of conduct, propriety and ethics.

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Monitoring the operation of the Code of Conduct and Guide to the Rules and, where appropriate, **proposing possible modifications** of it to the Committee.

Receiving and investigating complaints about Members who are allegedly in breach of the Code of Conduct and Guide to the Rules, and reporting his findings to the Committee.

The constitution of the **Office of Parliamentary Commissioner for Standards** has helped the House by bringing greater transparency in matters relating to ethical standards. It has also helped the Members by providing them timely advice in matters relating to the Code of Conduct.

Recommendations of 2nd ARC

- a. An Office of „**Ethics Commissioner**“ may be constituted by each House of Parliament. This Office, functioning **under the Speaker/Chairman**, would assist the Committee on Ethics in the discharge of its functions, and advise Members, when required, and maintain necessary records.
- b. In respect of States:
 - 1) All State legislatures may adopt a **Code of Ethics and a Code of Conduct** for their Members.
 - 2) Ethics Committees may be constituted with well defined **procedures for sanctions** in case of transgressions, to ensure the ethical conduct of legislators.
 - 3) **Registers of Members’ Interests**“ may be maintained with the declaration of interests by Members of the State legislatures.
 - 4) Annual Reports providing **details including transgressions** may be placed on the Table of the respective Houses.
 - 5) An Office of ‘Ethics Commissioner’ may be constituted by each House of the State legislatures. This Office would function under the Speaker/Chairman, on the same basis as suggested for Parliament.

OFFICE OF PROFIT

The Constitution of India lays down that legislators would be **disqualified** for being chosen as, and for being, a member of the legislature **if they were to hold any office of profit under the government** other than an office declared by the legislature by law not to disqualify its holder. The underlying idea was to obviate a conflict of interest between the duties of office and their legislative functions.

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The executive and legislature are fused in our system. But in countries **like Britain and Germany, such fusion is not**, by and large, leading to corruption or patronage. That is because a political form different and hostile interests; which interests each must maintain, as an agent and culture has been evolved, in which public office is an advocate, against other agents and advocates; means for promoting social good and not for private but parliament is a deliberative assembly of one or family gain. **In our case, public office is perceived to be an extension of one's property.** That is why, public offices are a source of huge corruption and a means of extending patronage.

Given this proclivity and the compulsions under which any government functions, there is need to re-examine the definition of office of profit. **Articles 102 and 191** of the Constitution relating to office of profit have been violated in spirit over the years even when the letter is adhered to.

Often, the crude **criterion applied is whether or not the office carries a remuneration.** The Supreme Court's clarification about the appointment and removal being in the hands of the executive branch of government does not help either, because many appointments made may be in advisory capacities.

Nor do the existing norms apply to Local Area Development Schemes under which legislators are empowered to sanction public works and authorize expenditure of funds granted under **MPLADs and MLALADs schemes.** These schemes do seriously **erode the notion of separation of powers**, as the legislator directly becomes the executive.

(MPLADs) distorted the MPs' role in the federal system and diverted funds which should have actually gone to agencies like the Panchayati Raj institutions. Apart from infringing on the rights of the local governments, the **most serious objection to the scheme is the conflict of interest** that arises when legislators take up executive roles.

Therefore it seems necessary to sharply define office of profit to ensure clearer separation of powers. It is **necessary to sharply distinguish executive functions and exercise of executive authority while defining office of profit**, irrespective of whether such a role or office carries remuneration and perks. The Supreme Court has held that members of legislatures are public servants under the Prevention of Corruption Act.

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Recommendations of 2nd ARC:

- a. The Law should be **amended to define office of profit based on the following principles:**
 1. All offices in **purely advisory bodies where the experience, insights and expertise** of a legislator would be inputs in governmental policy, shall not be treated as offices of profit, irrespective of the remuneration and perks associated with such an office.
 2. All offices **involving executive decision making and control of public funds**, including positions on the governing boards of public undertakings and statutory and non-statutory authorities directly deciding policy or managing institutions or authorizing or approving expenditure **shall be treated as offices of profit**, and no legislator shall hold such offices.
 3. If a **serving Minister, by virtue of office, is a member or head of certain organizations** like the Planning Commission, where close coordination and integration between the Council of Ministers and the organization or authority or committee is vital for the day-to-day functioning of government, it shall not be treated as office of profit.
- b. Schemes such as MPLADS and MLALADS should be **abolished**.
- c. Members of Parliament and Members of State Legislatures should be **declared as „Public Authorities“** under the Right to Information Act, except when they are discharging legislative functions.

CODE OF ETHICS FOR CIVIL SERVANTS

The inculcation of values facilitating the subordination of the self to a larger, societal good, and engendering a spirit of empathy for those in need of ameliorative state interventions are not skills which could be easily imbibed after joining the civil services. Such attitudes need nurturing over not merely individual life-times, but through successive generations - **the „right“ ethos takes long to evolve.**

Nevertheless, it must be accepted that our civil service system has a tradition of attitudes and achievements which sets examples to be emulated by current and prospective civil servants. It must also be accepted that the existing framework for maintaining and promoting the norms of 'right conduct' cannot be enforced through a rigid mindless enforcement of laws and rules. It is all a question of striking the right

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balance. Within the civil services there are **formal, enforceable codes setting out norms of expected behaviour with „sanctions“** prescribed for unacceptable departures from such norms.

The **current set of „enforceable norms“** are **„Conduct Rules“**, typified by the **Central Civil Services (Conduct) Rules - 1964** and analogous rules applicable to members of the All India Services or employees of various State Governments. Specific acts were proscribed from time to time through notifications under the Fundamental Rules and the Civil Service Regulations. Some examples are the disapproval of habitual lending and indiscriminate borrowing (1869), and the banning of various actions – accepting gifts (1876), buying and selling property (1881), making commercial investments (1885), promoting companies (1885) and accepting commercial employment after retirement (1920).

The breach of such prohibitions entailed punitive actions like removal from service. There were, of course, **provisions like „illegal gratification“ or bribery** - Sections 161 to 165 of the IPC - or **„criminal breach of trust by a public servant“** - Section 409 IPC - which provide for terms of imprisonment. In 1947, with the enactment of the Prevention of Corruption Act, a new set of offences was also created.

These **rules have subsequently been updated to include additional norms of behaviour**. Some of the additions are: the requirement of observing courtesy, prohibiting demanding and accepting dowry, prohibiting sexual harassment of women employees, and, recently, prohibition to employ children below 14 years of age as domestic help. This is understandably **a continuing process**, and reflects the changing, often increasing expectations of society, from the civil services.

There is **no Code of Ethics prescribed for civil servants in India** although such codes exist in other countries. What we have **in India are several Conduct Rules**, which prohibit a set of common activities. In this context, conflict of interest is an important area which should be adequately addressed in these codes. It is necessary to build safeguards to prevent conflict of interest. A **draft „Public Service Bill“** seeks to lay down a number of generic expectations from civil servants, which are referred to as **values**. The **salient „values“ envisaged in the Bill** are:

Allegiance to the various **ideals enshrined in the preamble** to the Constitution
Apolitical functioning

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Good governance for betterment of the people to be the primary goal of civil service.

Duty to act objectively and impartially.

Accountability and transparency in decision-making.

Maintenance of **highest ethical standards**.

Merit to be the criteria in selection of civil servants consistent, however, with the cultural, ethnic and other diversities of the nation.

Ensuring **economy and avoidance of wastage** in expenditure.

Provision of healthy and congenial work environment.

Communication, **consultation and cooperation** in performance of functions i.e. participation of all levels of personnel in management.

The draft Bill also envisages a **Public Service Code and a Public Service Management Code** laying down more specific duties and responsibilities. Violation of the Code would invite punishments akin to the current major and minor penalties by the heads of institutions/ organizations. A „**Public Service Authority**“ is also envisaged to **oversee implementation** of the Code and values indicated above and to render advice in the matter of the values and the Code.

After the **73rd and the 74th Amendments** of the Constitution, the local bodies now have an important role to play in the nation's development and have major executive powers. It is essential that the need for **relevant codes for these bodies** and their employees, and for any public authority, is recognized.

In 1999, the Government of Australia enacted the **Australian Public Service Act**, which prescribes a set of Public Service Values. These **are not merely aspirational statements of intent**, but all employees are expected to uphold these values and comply with the Code, even as senior executives are expected to promote these values. Interestingly, the **Public Service Commissioner** is authorized to evaluate the extent to which agencies incorporate and uphold the values, and the adequacy of the systems and procedures required to ensure compliance with the Code. He has both statutory powers and policy responsibilities.

In India, „**Public Service Values**“ towards which all public servants should aspire, should be **defined and made applicable to all tiers** of Government and parastatal organizations. Any transgression of these values should be treated as misconduct, inviting punishment.

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Conflict of interest should be comprehensively covered in the Code of Ethics and in the Code of Conduct for officers. Also, **serving officials should not be nominated on the Boards of Public undertakings**. This will, however, not apply to non-profit public institutions and advisory bodies.

THE SEVEN SOCIAL SINS

The Seven Social Sins, as quoted by **Mahatma Gandhi** in **"Young India," 1925**

1. Politics without principles
2. Wealth without work
3. Leisure without conscience.
4. Knowledge without character
5. Commerce without morality
6. Science without humanity
7. Worship without sacrifice

CODE OF ETHICS FOR REGULATORS

The **prescription and enforcement of Codes of Conduct for different sections of society is generally through internal regulatory mechanisms**. Guilds are the oldest example of such a mechanism. A guild was an association of persons of the same trade or pursuits, formed to protect mutual interests and maintain standards. With the emergence of competition and industrialization, guilds have, more or less, ceased to exist. The Medical Council has made regulations relating to the Professional Conduct – „**Etiquette and Ethics for Registered Medical Practitioners**“.

The **Advocates Act, 1961** incorporates the functions of the Bar Council of India, which include laying down standards of professional conduct and etiquette for advocates. The **Chartered Accountants Act, 1949** stipulates the creation of the Institute of Chartered Accountants of India for regulation of the profession of chartered accountancy in India.

Act also set out the acceptable forms of behaviour of members of the profession. The Press Council of India functions under the **Press Council Act, 1978**. It adjudicates the complaints against and by the press for violation of ethics and for violation of the freedom of the press respectively. The Institution of Engineers has prescribed a „**Code of Ethics for Corporate Members**.“

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In spite of the existence of a plethora of Codes of Conduct for almost all important professions, it is often pointed out that adherence to ethical norms has been generally unsatisfactory. **Decline in ethical values in the professions** has adversely impacted on the governance of the country and is an important reason for increasing corruption in public life.

A **comprehensive and enforceable Code of Conduct** should be prescribed for all professions, with statutory backing.

ETHICAL FRAMEWORK FOR THE JUDICIARY

Independence of the judiciary is inextricably linked with judicial ethics. An **independent judiciary** enjoying public confidence **is a basic necessity of the rule of law**. Any conduct on the part of a judge, which demonstrates a lack of integrity and dignity, will undermine the trust reposed in the judiciary by the citizens. The conduct of a judge should, therefore, always be above reproach.

In the United States, **Federal Judges abide by the Code of Conduct for United States Judges**, a set of ethical principles and guidelines. The Code of Conduct provides guidance for judges on issues of judicial integrity and independence, judicial diligence and impartiality, permissible extra-judicial activities, and the avoidance of impropriety or even its appearance. In Canada, there is no written Code of Conduct for federally appointed judges but, **various documents published by the Canadian Judicial Council** over the years describe the ethical standards to which judges aspire.

The **Supreme Court of India in 1997** unanimously adopted a charter called the „**Restatement of Values of Judicial Life**“, generally known as the Code of Conduct for judges. It reads as under:

- a. **Justice must not merely be done but it must also be seen to be done.** The behaviour and conduct of members of the higher judiciary must reaffirm the people's faith in the impartiality of the judiciary. Accordingly, any act of a Judge of the Supreme Court or a High Court, whether in official or personal capacity, which erodes the credibility of this perception has to be avoided.
- b. **Close association with individual members of the Bar**, particularly those who practise in the same court, shall be eschewed.

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- c. A Judge should **not permit any member of his immediate family**, if a member of the Bar, to appear before him or even be associated in any manner with a cause to be dealt with by him.
- d. A Judge should practise a **degree of aloofness** consistent with the dignity of his office.
- e. A Judge shall not hear and decide a matter in which a member of his family, a close relation or a friend is concerned.
- f. A **Judge shall not enter into public debate or express his views in public on political matters** or on matters that are pending or are likely to arise for judicial determination.
- g. A Judge is expected to **let his judgments speak for themselves**. He shall not give interviews to the media.
- h. A Judge shall **not accept gifts or hospitality except from his family**, close relations and friends.
- i. A Judge shall not hear and decide a matter in which a company in which he holds shares is concerned unless he has disclosed his interest and no objection to his hearing and deciding the matter is raised.
- j. A Judge should **not engage directly or indirectly in trade or business**, either by himself or in association with any other person.
- k. Every Judge must, at all times, **be conscious that he is under the public gaze** and there should be no act or omission by him which is unbecoming of the high office he occupies and the public esteem in which that office is held.

The **following two Resolutions** were also adopted in the said **Full Court Meeting of the Supreme Court of India**:

—RESOLVED that an in-house procedure should be devised by the Hon'ble Chief Justice of India to take suitable remedial action against Judges who by their acts of omission or commission **do not follow the universally accepted values of judicial life** including those indicated in the -Restatement of Values of Judicial Life.

RESOLVED FURTHER THAT every Judge should make a **declaration of all his/her assets** in the form of real estate or investments within a reasonable time of assuming office and in the case of sitting Judges within a reasonable time of adoption of this Resolution and thereafter whenever any acquisition of a substantial nature is made, it shall be disclosed within a reasonable time.

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The **Restatement of Values of Judicial Life** is a **comprehensive but not exhaustive** code of ethics. As stated earlier, mere prescription of a Code of Conduct is not an end in itself. Along with the Code of Conduct, a mechanism for enforcing the code needs to be evolved. It would be desirable to designate a senior Judge of the Supreme Court as the „**Judicial Values Commissioner**“. The Judicial Values Commissioner should be empowered to enquire into cases of violation of the Code of Conduct and report the matter to the Chief Justice of India for taking action. The need for an effective mechanism for the enforcement of judicial accountability cannot be overemphasized.

In **India**, neither the executive nor the legislature has much say in who is appointed to the Supreme Court or the High Courts. The **current system of appointments is not open to public scrutiny** and thus lacks accountability and transparency.

A closely related aspect of the accountability of judges is the mechanism for removal of judges for deviant behaviour. Other than **impeachment under Articles 124(4) and 217(1)**, there is no mechanism to proceed against any inappropriate behaviour or misdemeanour of judges. However, the impeachment provisions have turned out to be impracticable as it is virtually impossible to initiate any impeachment proceedings, let alone successfully conclude them.

The National Commission to Review the Working of the Constitution recommended the constitution of a **National Judicial Commission** which would have the effective participation of both the executive and the judicial wings of the State —as an integrated scheme for the machinery for appointment of judges.

The Government introduced the Constitution **(Ninety-eighth Amendment) Bill in the Lok Sabha in 2003**. The Bill also proposed to empower the National Judicial Commission to draw up a code of ethics for judges, and to inquire into cases of misconduct of a judge. This Bill could not be passed.

The **Judges" (Inquiry) Bill, 2006** seeks to establish a **National Judicial Council** to undertake preliminary investigations and enquiring into allegations of misbehaviour and incapacity of a Judge of the Supreme Court or High Court. It further provides that the Council, issue a code of conduct containing guidelines for the conduct and behaviour for judges. The Bill also provides that every judge at the time of appointment and annually thereafter, shall give **intimation of his assets and**

liabilities to the Chief Justice of India or the Chief Justice of the High Court as the case may be. It has been provided that any person may make a complaint in writing involving any allegation of misbehaviour or incapacity in respect of a judge to the Council.

The impeachment process worked satisfactorily in the US. But the **failure of the impeachment process in India**, as well as the inability of the system to address serious questions of probity in the judiciary necessitate a revised, transparent, accountable and a bipartisan process for enquiry into judicial misconduct and removal of judges. It is therefore sought that-

- a. The **National Judicial Council** should be authorized to lay down the **Code of Conduct for judges**, including the subordinate judiciary.
- b. The National Judicial Council should be entrusted with the task of recommending **appointments of Supreme Court and High Court Judges**. It should also be entrusted the task of oversight of the judges, and should be empowered to enquire into alleged misconduct and impose minor penalties. It can also recommend removal of a judge if so warranted.
- c. Based on the recommendations of the NJC, the President should have the powers to **remove a Supreme Court or High Court Judge**.
- d. A Judge of the Supreme Court should be designated as the **Judicial Values Commissioner**. He/she should be assigned the task of enforcing the code of conduct. Similar arrangement should also be made in the High Court.

E-GOVERNANCE IN INDIA - I

NEW VISTA IN INFORMATION SHARING & TRANSPARENCY

Reinventing government has been a dominant theme since 1990s, wherein governments world over are attempting to improve the systems of public service delivery. Rapid strides made in the field of **Information and Communication Technology (ICT)** have facilitated the reinvention of governments and prepared them to serve the needs of a diverse society. The information age has **redefined the fundamentals and transformed the institutions and mechanisms** of service delivery forever.

The vision is the **articulation of a desire to transform the way government functions and the way it relates to its constituents**. The concept of electronic governance, popularly called e-governance, is derived from this concern. Democracies in the world share a vision of the day when e-governance will become a way of life. India has been at the forefront of the IT revolution and has had its effect on the public administration systems. In fact, if the potential of ICTs are harnessed properly, it has a lot of opportunities, especially, in the social and economic growth of the developing world.

CONCEPT OF E-GOVERNANCE

E-governance is the application of ICT to the processes of government functioning for good governance. In other words, e-governance is the public sector's use of ICTs with the aim to **improve information and service delivery**, encourage citizen participation in decision-making and make government more accountable, transparent and efficient. E-governance goes far beyond mere **computerization of standalone back office operations**. It implies fundamental changes in government operations; new set of responsibilities for legislature, executive, judiciary & citizens.

According to the **Comptroller and Auditor General, UK**, e-governance means providing public access to information via the internet by government departments and their agencies. So in essence, e-governance is the application of ICT in government functioning to bring in **SMART** governance implying: simple, moral, accountable, responsive and transparent governance.

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- 1. Simple**- meaning simplification of rules, regulations and processes of government through the use of ICT and thereby providing for a user-friendly government
- 2. Moral**- connoting emergence of an entirely new system of ethical values in the political and administrative machinery. Technology interventions improve the efficiency of anticorruption agencies, police, judiciary, etc.
- 3. Accountable**- facilitating design, development and implementation of effective Management Information System and performance measurement mechanisms and thereby ensuring accountability of public service functionaries.
- 4. Responsive** streamlining processes to speed up service delivery; make system more responsive
- 5. Transparent**-bringing information hitherto confined in the government documents to the public domain and making processes and functions transparent, which in turn would bring equity and rule of law in responses of the administrative agencies.

SMART governance, thus, helps in

- improving the **internal organisational processes** of governments;
- providing **better information and service delivery**;
- increasing **government transparency** in order to reduce corruption;
- reinforcing **political credibility and accountability**; and
- Promoting **democratic practices through public participation** and consultation.

STAGES OF E-GOVERNANCE

- **Simple information dissemination** (one-way communication)- is considered as the most basic form, as it is used for merely disseminating information;
- **Two-way communication** (request and response)- is characterised with e-mail system and information and data-transfer technologies in the form of website;
- **Service and financial transactions**- is online services and financial transactions leading to web based self-services;
- **Integration** (both vertical and horizontal)- in this stage the government would attempt inter and intra-governmental integration; and
- **Political participation**- this stage means online voting, online public forums and opinion surveys for more direct and wider interaction with the government.

Another classification of e-governance has **six stages** of which the first two are similar to that of the above classification. The remaining four are:

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- **Third stage-** refers to multi-purpose portals, which allow customers to use a single point of entry to send and receive information and to process transactions across multiple departments;
- **Fourth stage-** consists of portal personalisation, wherein customers are allowed to customize portals with their desired features;
- **Fifth stage-** is when government departments cluster services along common lines to accelerate the delivery of shared services and clustering of common services; and
- **Sixth and final stage-** technology is integrated further to bridge the gap between the front and back office.

MODELS OF E-GOVERNANCE

Five important models of e-governance have been identified, which can be used as a guide in designing e-government initiatives depending on the **local situation and governance activities** that are expected to be performed. These models are:

The Broadcasting Model

The model is based on dissemination/ broadcasting of useful governance information, which is in the public domain into the wider public domain with ICT and convergent media. The strength of the model rests upon the fact that a **more informed citizenry is better able to judge the functioning of existing governance mechanisms and make an informed opinion** about them. Consequently, they become more empowered to exercise their rights and responsibilities. Widespread application of this model corrects ‘information failure situations’ by providing people with the relevant information relating to the governance sphere to make informed opinion and impact governance processes.

The Critical Flow Model

The model is based on disseminating/ channeling information of critical value to the targeted audience or into the wider public domain with ICT and convergent media. The strength of this model is that ICT **makes the concept of „distance“ and „time“ redundant** when information is hosted on a digital network, and this could be used advantageously by instantly transferring the critical information to its strategic user group located anywhere or by making it freely available in the wider public domain.

The Comparative Analysis Model

This model is highly **significant model for developing countries** and can be used for empowering people. Essentially, the model continuously assimilates best practices in the areas of governance and then uses them as benchmarks to evaluate other governance practices. It then uses the result to advocate **positive changes or to influence „public“ opinion** on these governance practices. The comparison could be made over a time scale to get a snapshot of the past and present situation or could be used to compare the effectiveness of an intervention by comparing two similar situations. The strength of this model lie in the **infinite capacity of digital networks** to store varied information and retrieve and transmit it instantly across all geographical and hierarchal barriers.

E-Advocacy/ Mobilisation and Lobbying Model

This model builds the momentum of real-world processes by adding the opinions and concerns expressed by virtual communities. This model **helps the global civil society to impact on global decision-making processes**. It is based on setting up a planned, directed flow of information to build strong virtual allies to complement actions in the real world. **Virtual communities** are formed which share similar values and concerns and these communities in turn link up with or support real-life groups/ activities for concerted action. Hence, it creates a diversity of virtual community and the ideas, expertise and resources are accumulated through this virtual form of networking. In addition, it is **able to mobilise and leverage human resources** and information beyond geographical, institutional and bureaucratic barriers and use it for concerted action.

The Interactive-Service Model

It opens avenues for **direct participation** of individuals in governance processes and brings in greater objectivity and transparency in decision-making processes through ICT. Fundamentally, ICT has the potential to bring in every individual in a digital network and enable **interactive (two-way) flows of information** among them. Under this model, the various services offered by the Government become directly available to its citizens in an interactive manner. It does so by opening up an interactive **Government to Consumer to Government (G2C2G)** channel in various aspects of governance, such as election of government officials (e-ballots); redressing online of

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specific grievances; sharing of concerns & providing expertise; opinion polls on various issues; etc.

E-GOVERNMENT vs. E-GOVERNANCE

The **terms "government" and "governance"** are currently in widespread use, sometimes interchangeably. It is important to develop a distinction between the two. Government is an **institutional superstructure** that society uses to translate politics into policies and legislation. Governance is the **outcome** of the interaction of government, the public service, and citizens throughout the political process, policy development, program design, and service delivery.

Governments are specialized institutions that contribute to governance. **Representative governments seek and receive citizen support**, but they also need the active cooperation of their public servants. Governance is the outcome of politics, policies, and programs.

GOVERNMENT	GOVERNANCE
superstructure	functionality
decisions	processes
rules	goals
roles	performance
implementation	coordination
outputs	outcomes

E-GOVERNMENT	E-GOVERNANCE
electronic service delivery	electronic consultation
electronic workflow	electronic controllership
electronic voting	electronic engagement
electronic productivity	networked societal guidance

The primary delivery models of e-Government can be divided into:

- Government-to-Citizen or **Government-to-Customer** (G2C)
- **Government-to-Business** (G2B)
- **Government-to-Government** (G2G)
- **Government-to-Employees** (G2E)

LEGAL AND POLICY FRAMEWORK

The following provisions have laid down the legal and policy framework for ICT and e-governance in India:

Information Technology Act 2000

The Action Plan endorsed by the **Conference of Chief Ministers in 1987** had already addressed the pertinent issues of accountable and citizen friendly administration; and transparency and right to information. In pursuance of these issues, the Information Technology Act was promulgated in 2000. The **objective of the Act** is –to provide legal **recognition for transactions** carried out by means of electronic data interchange and other means of electronic communication, commonly referred to as ‘electronic methods of communication and storage of information’; to **facilitate electronic filing of documents with the Government agencies**; and further to amend the Indian Penal Code, the Indian Evidence Act, 1872, the Banker’s Book Evidence Act, 1891 and the Reserve Bank of India Act, 1934 and for matters connected therewith or incidental thereto.

Both **e-commerce and e-governance transactions** are covered under the ambit of this Act, which facilitates acceptance of electronic records and digital signatures. The Act, thus, **stipulates numerous provisions**. It aims to provide for the legal framework so that legal sanctity is accorded to all electronic records and other activities carried out by electronic means.

Chapter III of the Act details about „**Electronic Governance**“ and provides inter-alia amongst others that where any law provides that information or any other matter shall be in writing or in the typewritten or printed form, then, notwithstanding anything contained in such law, such requirement shall be deemed to have been **satisfied if such information or matter is:**
rendered or made available in an electronic form; and

Accessible so as to be usable for a subsequent reference.

Report of the Working Group on Convergence and E-governance 2002-07

Report of the Working Group on Convergence and E-governance proposed the **need for administration to transform itself** from a passive information and service provider to a platform/ forum for the active involvement of citizens. This Report primarily concerned itself with public investments.

It could not **visualise the extent of private initiative** that could be expected to come forth in the convergence area or in e-commerce or allied segments. It felt the need to set up a central body for taking stock of the total IT picture in the country. This central body could be a „**Council for E-governance**“ or an adhoc „**Commission on Reengineering Administrative Procedures for E- governance.**“ Another alternative it suggested was to set up a National Institute of Smart Governance.

The National E-Governance Plan

The **National e-Governance Plan** (2003-2007) of Indian Government seeks to lay the foundation and provide the impetus for long-term growth of e-Governance within the country. The plan seeks to create the right governance and institutional mechanisms, **set up the core infrastructure and policies** and implements a number of **Mission Mode Projects** at the center, state and integrated service levels to create a citizen-centric and business-centric environment for governance.

NeGP Visions all Government services accessible to the common man in his locality through a **One-stop-shop (integrated service delivery)** ensuring convenience, efficiency, transparency & reliability. NeGP also envisages significant investments in areas such as government process re-engineering, capacity building, training, assessment and awareness. An **apex committee** under the Cabinet Secretary is already in place for providing the strategic direction and management oversight.

Right to Information Act 2005

The Right to Information Act 2005 **confers on the citizens the right to:**

- 1.** Inspect works, documents and records of the government and its agencies;
- 2.** Take notes, extracts or certified copies of documents or records;
- 3.** Take certified samples of material; and

4. Obtain information in form of printouts, diskettes, floppies, tapes, video cassettes or in any other electronic mode.

This has ensured a transparent and accountable government to the people. It has also established a **two-way dialogue between the citizens and the government**. It has enabled citizens to make well-informed decisions. Further, it is an important step towards tackling corruption and has ensured better monitoring of services provided by the government.

UN E-GOVERNMENT READINESS INDEX

There are several **international rankings of e-government maturity**. The Eurostat rankings and the UN e-Government Readiness Index are among the most frequently cited. The **United Nations** conduct an annual **e-Government survey** which includes a section titled e-Government Readiness. It is a comparative ranking of the countries of the world according to **two primary indicators**: i) the state of e-government readiness; and ii) the extent of e-participation. Constructing a model for the measurement of digitized services, the Survey assesses the 191 member states of the UN according to a quantitative composite index of e-government readiness based on website assessment; telecommunication infrastructure and human resource endowment.

SIGNIFICANCE OF E-GOVERNANCE

ICT applications impact upon the structures of public administration systems. Technological advancements **facilitate the administrative systems by enabling**:

Administrative Development

Administrative reforms, often, have focused on procedural details and restructuring of systems and processes of government organisations. **The basic objective** of these reforms is to enhance capacities of the systems. ICTs can be used and are being used now to give further impetus to the process. They **help in the following manners**:

1. **Automation of Administrative Processes**: A truly e-governed system would require **minimal human intervention** and would rather be system driven. While initially the solutions that were offered were quite primitive with poor information

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layout, inadequate navigation provisions, occasional disruption in services, periodic outdated content and little or **no „back office“ support.**

However, technological advancements and increased pressure from citizenry have prompted improvements in these areas. Now administrative departments are computerised and **connected through network.** Software has been built and designed around government departments ensuring efficiency in operations. The departments have **launched individual websites** carrying information of their respective departments. This has enabled online carrying of operations and file movements. **Budgeting, accounting, data flow, etc.** has become easy. This has increased the efficiency of office operations and processes and has reduced unnecessary delays.

- 2. Paper Work Reduction:** An immediate impact of automation would be on the paperwork. Paperwork is reduced to a greater extent with **communication being enabled via electronic route** and storage and retrieval of information in the electronic form. All this has led to emergence of **„less paper office“.** This concept is defined as an office situation where all the information (file and mail) amongst various functionaries is distributed online.

Less paper office is the implementation of effective electronic communication processes that enable elimination of reproductive works and unnecessary papers. The concept is where **files and mails (information) are transmitted over wires** to small computers at each employee's desk. Office work, such as, file movements, notings, etc. is computerised and documentation, report preparation, databases are now maintained in computers. Due to interconnectivity through LAN, transfer of information and files take place online, thus reducing the physical movements and consumption and storage of huge piles of paper.

- 3. Quality of Services:** ICT helps governments to deliver services to the citizens with greater **accountability, responsiveness and sensitivity.** Quality of services improves, as now the people are able to get services efficiently and instantaneously. As volumes of transactions and information can be **electronically handled and delivered over a wider area** through the net and web, qualitative services become possible in least time, in least cost, in least difficulty and in greater convenience. By ensuring online redressal of grievances the accountability of officials is ensured. They have become sensitive to the issues affecting people. **Monitoring by way of video teleconferencing** has further facilitated central monitoring, reporting and face to face communication that has assured effective service delivery by the officials.

- 4. Elimination of Hierarchy:** ICT has reduced procedural delays caused by hierarchical processes in the organisation. Through Intranet and LAN, it has become possible to send information and data across various levels in the organisation at the same time. **Computerisation and communication patterns** facilitated by ICT have increased efficiency and have led to the involvement of all levels in decision-making.
- 5. Change in Administrative Culture:** Bureaucratic structures have been plagued by characteristics aptly described as „**bureau-pathology**“. Efforts have been made to find ways to deal with the **pathological or dysfunctional aspects** of bureaucratic behaviour and to make delivery of public services effective and efficient. With e-governance, public actions coming under public glare would certainly induce norms and values of accountability, openness, integrity, fairness, equity, responsibility and justice in the administrative culture. Rather, administration would become efficient and responsive.

Effective Service Delivery

ICTs play an important role in effectively delivering services to the people. ICTs ensure:

- A. Transparency** by dissemination and publication of information on the web. This provides easy access to information and subsequently makes the system publicly accountable. Also as web enables free flow of information, it can be easily accessed by all without any discrimination.
- B. Economic Development:** The deployment of ICTs reduces the transaction costs, which makes services cheaper. For example, rural areas suffer on account of lack of information regarding markets, products, agriculture, health, education, weather, etc. and if all this could be accessed online would lead to better and more opportunities and thereby prosperity in these areas.
- C. Social Development:** The access to information empowers the citizens. Informed citizenry can participate and voice their concerns, which can be accommodated in the programme/ project formulation, implementation, monitoring and service delivery. Web enabled participation will counter the discriminatory factors affecting our societal behaviour.
- D. Strategic Information System:** Changing organisational environment and increasing competitiveness have put pressures on the performance of the functionaries. Information regarding all aspects needs to be made available to the management at every point to make routine as well as strategic decisions. ICT effectively enable putting such strategic information systems in place.

E. Environmental bonuses: Paperless office: Proponents of e-government argue that online government services would lessen the need for hard copy forms. Due to recent pressures from **environmentalist** groups, the media, and the public, some governments and organizations have turned to the Internet to reduce this paper use.

E-GOVERNANCE CHALLENGES

"E-governance is not really the use of IT in governance but as **a tool to ensure good governance**. E-governance does not mean proliferation of computers and accessories; it is basically a political decision which calls for discipline, attitudinal change in officers and employees, and massive government process re-engineering.

All implementers and drivers of e-governance initiatives agree that the **biggest challenge** of deploying e-governance is not technology but **change management**. Change management is important not only in terms of cultural change but also in terms of changing operations and processes workflow that the automated environment will introduce.

It's important to educate people at all levels about the benefits of technology. The various benefits and **advantages of e-enabling the system** should be communicated clearly. It is important to explain to people that the introduction of IT will not take away existing jobs but will make them easier, and if less manpower is required for operations the staff can be re-deployed elsewhere with no threat to their career growth path.

The **key challenges** with electronic governance are not technology or internet issues but **organizational issues** like:

- a.** Redefining rules and procedures
- b.** Information transparency
- c.** Legal issues
- d.** Infrastructure, Skill and awareness
- e.** Access to right information
- f.** Interdepartmental collaboration
- g.** Tendency to resist the change in work culture

Other obstacles are geographical distances, lack of trained human resources, and lack of ICT penetration in remote areas. For instance, a good e-

governance application will not benefit anybody in remote areas if there is no supporting infrastructure such as electricity, computers and connectivity.

The **challenges of connectivity** have also reduced over the years with the falling prices of bandwidth and increased reach of connectivity service providers. **Major VSAT service providers** already have established large footprints in India, and telecom service providers have stepped up their leased line offerings even in previously unrepresented territories. Many state governments have developed **state wide area networks (SWANs)**, customized applications, and data banks. But the interconnectivity of the servers is an issue which calls for the establishment of state data centres. The NIC, which is promoting e-governance in the country, has established VSAT connectivity in all the districts of the country. There remains however issues such as **standardization, inter-operability, security, and propriety vs. open source.**

The **other set of challenges** lie in extending the reach of e-Governance services to **70% of Indian population that lives in villages.** These include:

- a. Assessment of local needs and customizing e-Governance solutions to meet those needs
- b. Connectivity
- c. Content (local content based on local language)
- d. Building Human Capacities
- e. e-Commerce
- f. Sustainability
- g. e-Governance Challenges Specific to India

- 1. Lack of Integrated Services:** Most of the e-Governance Services being offered by state or central governments are not integrated. This can mainly be attributed to Lack of Communication between different Departments. So the information that resides with one department has no or very little meaning to some other department of Government.
- 2. Lack of Key Persons:** e-Governance projects lack key persons, not only from technological aspect, but from other aspects as well.
- 3. Population:** This is probably the biggest challenge. Apart from being an asset to the country it offers some unique issues, an important one being Establishing Person Identities. There is no unique identity of a person in India. Apart from this, measuring the population, keeping the database of all Indian nationals (& keeping it updated) are some other related challenges.

- 4. Different Languages:** A challenge due to the diversity of the country. It enforces need to do governance (upto certain level), in local languages. Ensuring e-Governance in local language is a big task to achieve.

There are many considerations and potential implications of implementing and designing e-government, including **disintermediation** of the government and its citizens, impacts on economic, social, and political factors, and disturbances to the status quo in these areas.

SUGGESTIONS

In order to harness the benefits of ICTs maximally, we need to develop sufficient and adequate infrastructure, provide sufficient capital and investment, enable easy and wider accessibility and generate ample and skilful human resources. These are some of the immediate and pertinent challenges to effective implementation of ICT and e-governance. These are:

- 1. Infrastructure:** The foundation of e-governance is based on the reach of telecommunication services to the so far un-served areas. To develop telecommunication, infrastructures are to be created so that the end-user is able to access the services promptly and effectively.

To strengthen the infrastructure, **“National Task Force on Information Technology and Software Development”** in 1998 recommended broadband connection (also known as ‘the last mile’) linkage for IT Applications Service Providers (ASPs), Internet Service Providers (ISPs) and IT promotional organisations, either by fibre optics or by radio communication, with the aim to **„boost efficiency and enhance market integration”** through Internet/ Intranet for sustainable regional development.

- 2. Capital:** A high rate of investment in IT capital and a supportive environment is necessary to achieve digital economy. In view of the resource crunch with the government, there is need to **generate resources from the market and private sector**. Public-private partnership may be beneficial in this regard, as the private sector can participate and contribute with capital and expertise support.
- 3. Access:** At present more than 75 percent of internet users in India are in urban India. Internet has still to reach the rural and disadvantaged sections. However, efforts are being made to expand **ICT connectivity into rural areas** through involvement of Gram Panchayats. NIC has developed comprehensive web-based software for **Panchayati raj and rural applications**, which is being implemented in

some states. With most of the panchayats getting computerised, accessibility to various services has become easy.

- 4. Utility of Information:** There is a need to provide information, which is useful. The content of the information should be such that it should be interesting, beneficial and appealing to the people. In this regard, Government of India and some of the state governments have prepared a vision document for e-governance keeping in mind the needs of the citizens. Though **Citizens' Charters of many departments** are available on the net, further publicity of such facilities is required to enable the public to access the necessary information.
- 5. Human Resource Development:** Despite the ascending growth rate observed in employment in IT sector, there is dearth of quality manpower. There exists a demand and supply gap in the IT manpower market. India apparently needs to have **more technical institutes** to impart education and training to build a pool of human resources in the field.
- 6. Capacity Building:** Service delivery will be effective if there is a trained manpower. Though computer training is being imparted to all the basic public functionaries, except in few cases, an effective use of ICT is yet to be seen. Moreover, there is an immediate need to launch a nationwide **„Train the Teachers Programme“** (3T Programme). This should be done at all levels including schools and colleges. A combination of physical and virtual training also needs to be imparted.
- 7. Changing the Mindset of Government Functionaries:** To accept the change there is a need to change the mindset of service providers and receivers. The government functionaries need to be made aware that they are there to serve the clients as per the policies and programmes and that **technological advancement is only a facilitator to solutions of problems** faced by people and not a solution in itself. To change the mindset of the service providers there is a need to impart orientation and training programmes to them.
- 8. Language:** Success of e-government also depends on communication with the people in their local languages. Currently, the most widely used language is English for e-government. But given the Indian social conditions, unless we develop interfaces in vernacular languages, it would remain out of reach of many people who are not capable of accessing these services in English. In this context, it is essential that a **clear strategy be formulated** to provide access to local level databases maintained in regional and local languages as well as to use appropriate interfaces to aggregate such data. However, it may be mentioned here that organisations like

Centre for Development of Advanced Computing (CDAC) has developed multilingual software for the purpose.

9. Standardization in Data Encoding: Once multiple access points maintained in various languages at various levels are established, there is a need to update them in conformity with similar standards for **data encoding-an application logic** for a common horizontal application and data dictionary. This is also important for finding aggregates in the national context.

10. Grievance Redressal Mechanism: The mechanism planned for various functions need to make provision for grievance redressal as well. Interactive platforms on the internet may speed up the process and may be useful in this regard. The BMC-Praja Foundation's joint initiative of the **Online Complaint Management System (OCMS)** is perhaps the world's first in citizen-government partnership for solving public grievances in municipal services. It uses IT as a tool to bring in efficiency and effectiveness into the system. **Central Vigilance Commission** has also provided such a platform for people to register their complaints against corrupt officials. Such sporadic instances need to be made broad-based and effective, though it may be conceded that more and more public service agencies are now providing or contemplating such facilities.

11. Cyber Laws: The government needs to enact appropriate laws, especially those, which are necessary to enable transactions over the internet. **Safety concerns** regarding use of credit cards or other modes of payment stops the consumers from using such facilities.

E-governance is a **global phenomenon today** and it is the most recent paradigm in public administration. The speed and transparency associated with e-governance has the potential to make public administration responsive and effective. As the **development of e-governance** gets past the phase of pilot projects, it becomes apparent that sustainable development of e-governance will depend on an adequate institutional framework that will enable public administration to manage and harmonize the emerging **multitude of technical and organisational changes** at all levels of government. The time has come to focus on the challenges in implementation, especially those related to cross-level applications and institutional framework, which would enable to bring in broader changes in governance.

E-GOVERNANCE IN INDIA - II

NEW VISTA IN INFORMATION SHARING & TRANSPARENCY

E-Governance is a **new version and a novel variety of governance**. E-governance **is not only the new, but also the now trend** occurring in India. It is fast taking the form of a movement. Many benefits are flowing from its adoption in various spheres of administration. Several advanced governments of the world have switched over and many other seem to be switching over to electronic administration. **India lacks however, a national perspective one-governance**, although, there is space of flourishing eloquence among some ministers, bureaucratic techno experts and other pundits combined with a fairly widespread awareness and more or less universal realization of the positive aspects of this informative revolution.

With most aspects of citizen life and most sectors of governmental functions coalescing, in a **mutually beneficial, friendly ambience** through an electronic convergence system, there will emerge one day, a **one stop, non stop shopping approach** in the governments, involving „**cross-cutting**“ **over-joined up governance** – the idea simply being to create capability for providing the citizens access to government services across departments through electronic networks.

There is no doubt that seriously implementing e-governance programme calls for **basic restructuring of an age-old archaic and colonial procedures** – it indeed involve almost wholesale elimination of the existing dysfunctional system of governance. **What is urgently needed is change in the mindset of the people in government, change in the philosophy, spirit and processes in bureaucracy, development of a national infrastructure, and a governing body on e-governance for the whole country.**

There seems to have come about a welcome change, rather dramatic. Inaugurating the first meeting of state IT ministers on July 15, 2000 in New Delhi, Prime Minister Atal Behari Vajpayee announced major initiatives aimed at propelling development of IT and telecom infrastructure in the country. These included the end of VSNL's monopoly on international band width access, full deregulation of the national long distance telecom market to private competition and formation of a task force on human resource development in IT. As **13-Point Common Action Plan** for promoting

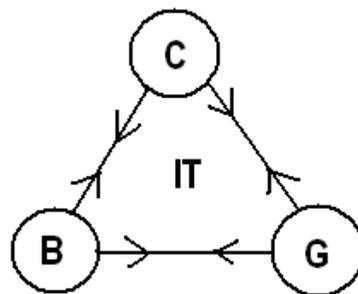
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IT in India has been adopted, divesting the Union and State governments to promote e-governance and to improve efficiency.

People have long been a harassed lot in their relationship with the government with endless forms, regulations, by-laws, paperwork, delays, secrecy, authoritarianism and negativism. They would not take these anymore and hence the **demand for „good governance“ slogan, for „paperless office“; cry for transparency and death of secrecy and insistence on right to information.** Technology can give them all that stands for good governance. **E-governance is the other name of good governance.**

People cannot go without good governance. It is their right to have it. It is government's duty to govern, and govern well. Government is a mandated pledge that has to be fulfilled. The state has to be **welfare oriented, people directed and service driven.** Government can justify the existence only by providing good, transparent and effective governance.

Suddenly, e-governance through a technological revolution have brought in healthy changes. **The basic character of governance, operational methodology, functional style, ideological orientation has undergone changes.** In fact much more transparency, demolition of discretion and arbitrariness, and above all, clientele orientation and citizen savvyness have been brought about by the e-governance.



IT enabled Business-Government,
Government-Citizen, Citizen-Business interactions

The **IT Act 2000** has been passed. Chapter III of the act deals with electronic governance. The Act marks a **watershed in the conduct of affairs** in the government, signaling a new beginning in the official transactional mode. More importantly, **paper work, files fastened by red tape, elaborate notings and**

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drafting – all delay producers – may be a **relic of the past**, if in future; e-governance becomes the order of the day. And there is no reason why it should not.

Areas targeted for bringing in information technology are revenue carving departments – such as registration department, commercial tax department, ration-card and public distribution system, treasury, health department, municipality functions etc. **If future is the place where we have to live the rest of our lives, we all must have stake and concern for its regulation, control and development.** IT is the tool for that. IT is an instrument for enrichment of quality of people's life. IT is the promise for a brighter future.

E-governance is certainly a legitimate hope, and not a tall order to be sure, that our **traditionally lethargic, leisurely and old worldly public administration** must sooner than later, rid itself of its inherited –burdensome baggage through the intervention of IT. The need for conceptual clarity to realize **mutually reinforcing relationship between IT and public administration** is indicated. Applying and developing IT in different spheres of activities and other programme sectors of development administration in our country that the poor people, illiterate masses, underfed men, particularly inhabiting the rural interiors, the under-privileged, disadvantaged and handicapped sections of our society can get a better deal in life.

Therefore, full potential of IT need to be tapped and harnessed in the following fields: Education, health, banking, tax administration, water and power supply, transport system, export and import, ports and docks and shipping administration, traffic control, immigration, public distribution system law and order maintenance, security, criminal justice administration and environmental protection etc.

Prosperity through IT is at our door step. We must open the door fully, and not keep it shut. We have lived in the past, in the dark, for far too long. E-governance is the future, and we must go in for it, to make the future secure for our future generations.

IT REDEFINED THEORY AND PRACTICE OF ADMINISTRATION

As far as the **theory of administration** is concerned, no other change was as penetrating as the one brought about by IT. It has affected the theory in the following ways:-

Principles of management:

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Simplification of Hierarchy

Centralization in organizations

Expansion of Span of Control

Enhanced Co-ordination

Change from emphasis on structures to delivery

Reduced role of human element: this has reduced the element of errors in administration. However, IT can only supplement and support but cannot supplant the human factor.

Change from generalist to specialist administration

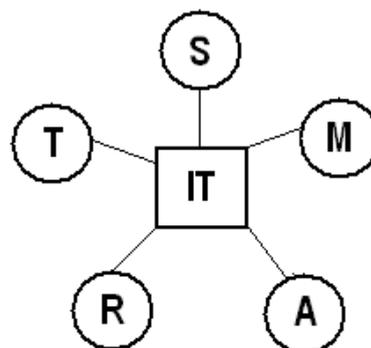
As far as the **practice of administration** is concerned, **IT has far reaching positive consequences** for the governments as well as the citizens.

For the **government as an organisation**, IT has brought in systems like **MIS** (Management Information System) and **DSS** (Decision Support System). Further, it has redefined and revolutionalized the **Communication** across the various levels of government horizontally as well as vertically. It has helped in the improvement of **work culture in the government** transforming an ivory tower approach into a people centric one.

For the **government as a State**, IT has improved the **reach, speed and quality** of various government driven programmes and policies.

More than for any other thing, the **practice of IT in the form of e-governance** has benefited the **citizens** most. The **SMART administration** (Small, Moral, Accountable, Responsive and Transparent) has had a **direct impact on the application of 4Es** (Efficiency, Effectiveness, Economy and Equity) on the citizens.

Besides, e-governance also helped in the evolution of a **participative-governance**, ultimately leading to the empowerment of citizens.



ADMINISTRATION

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ROLE OF IT IN MANAGEMENT OF ORGANIZATIONS

The information technology revolution has been called as the **second industrial revolution**. Both computer technology and communication technology has grown very rapidly, contributing to each others' growth; the two have become very interdependent. The term IT has come into common use since the mid 80's with the **integration of the computer technology and the communication technology**.

Today, IT provides integrated solutions for development of information systems in organizations and society. **Information system is the nervous system of any organization and since qua non for its survival**. Information lies at the heart of any management process, information systems are playing greater role in providing integration in organizational and public functioning. The developments in IT have affected every industry and every profession.

The main subsystems or components of information systems are:

1. Information storage, selection and retrieval (data base) system.
2. Information consolidation system (data and text processing)
3. Information communication system (networking) and
4. Information analysis (decision support) system.

Operational information is used daily and routinely and allows the organization to carry on its daily tasks. **It serves the operational level of functional units of the organization**. The information needs of planning consists of knowledge of current and past performances, forecasts on future performance, view of government policies, technological developments, market changes, and a feel for the political, social and economic climate. Effective control requires detailed information on performance at the lowest level of the organization.

OPTIMUM UTILIZATION OF IT IN PUBLIC ADMINISTRATION

There is a need for improvement in quality of services rendered by the government. The importance of computers can be attributed to its speed, accuracy, deterministic characteristics and connectivity, which has conquered time and distance. **Today, IT is more than a resource, it is an environment**. Development is a complicated process, which involves not only economic aspects, but also social, political and environmental forces. The major challenge facing the systems analysts and

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designers is to overcome the **built-in resistance in the bureaucracy and official systems** that do not permit changes many a times.

IT is an integrated technology, which includes within its sphere, computer, telecommunication and broadcasting products, by recognizing the technological convergence of these three fields. IT is an essential pre-requisite for providing basic infrastructure inputs to secure the desired industrial development and economic progress.

Adequate dissemination of information is essential for social change. Government should understand the enormous potential of IT not **only as a tool for improving governance and creating more jobs, but more significantly as a means to greatly enhance the standard of living of the people.** Use of it in enhancing the delivery of government services leads to a very responsive and transport administration, facilitating empowerment of people, satisfying their right to information.

The following steps could be taken to enhance the quality of administration:-

1. Ensure **involvement of people from professional bodies** in governmental decision-making process
2. Shift to **performance orientation**, rather than a procedure oriented bureaucratic set up
3. Ensure full **participation of personnel working at all levels of management**
4. Identify the common factors and differentiating characteristics in developing a **model information service.**
5. Besides **strong political will**, a programme/ project needs **honest implementation** with a definite and clearly defined objectives
6. IT strategy must stem from business models to ensure that **mission critical applications** get top priority

SUGGESTIONS TO ENHANCE IT APPLICATIONS

Management comprises three levels: operational, tactical and executive (in ascending order). The data requirement varies which the level of management. As one moves up the hierarchy, the data gets refined, filtered and in the process quantity of data is reduced but its quality is enhanced. The application of IT should thus be **consistent with the goals and objectives of management.**

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Emphasis should be on **IT training rather than IT education**. Schools need to shift from mere teaching technology to teaching application of technology as well.

One has to look at **specific application areas of IT** that can make a real impact on the Indian scene during the next two decades. The contents and subject matter to be available through these technologies must be consistent with the need of different categories of users.

The officers should be linked by network, and the businessman may get a **single – window clearance**.

Experiment with the new may be made only when existing and available **resources have been optimally utilized and fully exploited**.

One department at national level should be **responsible for the development and import of required hardware** and application software to be used by other departments in the country. This would save time, energy and resources.

EXAMPLES OF IT PROJECTS IN INDIA

- | | | | | |
|--------------------|---|-------------|---|----------------------------|
| 1. BHOOMI | - | Karnataka | - | Land reforms |
| 2. APSWAN | - | Andhra | - | Secretariat |
| 3. WARNA | - | Maharashtra | - | Co-operatives |
| 4. GYANDOOT | - | M.P. | - | Education |
| 5. RAJSWIFT | - | Rajasthan | - | Organisation Effectiveness |
| 6. FRIENDS | - | Kerala | - | Delivery Services |

EMOTIONAL INTELLIGENCE

CONCEPTS AND THEIR UTILITIES

Anyone can become angry- that is easy. But to be angry with the right person, to the right degree, at the right time, for the right purpose and in the right way- this is not easy. Here comes the role of Emotional Intelligence.

When it comes to happiness and success in life; **emotional intelligence (EQ) matters as much as intellectual ability (IQ)**. Emotional intelligence helps you **build stronger relationships**, succeed at work, and achieve your career and personal goals.

What is emotional intelligence?

We all have different personalities, different wants and needs, and different ways of showing our emotions. Navigating through this all takes **tact and cleverness** – especially if we hope to succeed in life. This is where emotional intelligence becomes important.

Emotional intelligence (EQ) is the **ability to identify, use, understand, and manage emotions in positive ways** to relieve stress, communicate effectively, empathize with others, overcome challenges, and defuse conflict. Emotional intelligence impacts many different aspects of your daily life, such as **the way you behave and the way you interact with others**. If you have **high** emotional intelligence you are able to recognize your own emotional state and the emotional states of others, and engage with people in a way that draws them to you. You can use this understanding of emotions to **relate better to other people**, form healthier relationships, achieve greater success at work, and lead a more fulfilling life. This is a **highly useful concept in administration** especially when the administrators have to deal with the **stress and crisis situations**.

People with high emotional intelligence are **usually successful in most things they do**. Why? Because they're the ones that others want on their team. When people with high EI send an email, it gets answered. When they need help, they get it. Because they make others feel good, they go through life much more easily than people who are easily angered or upset.

ATTRIBUTES/ CHARACTERISTICS EMOTIONAL INTELLIGENCE

Daniel Goleman, an American psychologist, developed a framework of 5 elements that define emotional intelligence:

1. **Self-awareness:** You recognize your own emotions and how they affect your thoughts and behavior, know your strengths and weaknesses, and have self-confidence. Simply to say, knowing about your emotions.
2. **Self-management/ Self-regulation:** You're able to control impulsive feelings and behaviors, manage your emotions in healthy ways, take initiative, follow through on commitments, and adapt to changing circumstances.
3. **Self motivation:** It means your ability to motivate yourself as and when required to overcome the stress situations or regain your lost confidence. It is done through telling yourself your strengths and your achievements in the past and your present capabilities.
4. **Social awareness/ Empathy:** You can understand the emotions, needs, and concerns of other people, pick up on emotional cues, feel comfortable socially, and recognize the power dynamics in a group or organization. In simple words, ability to understand others' feelings/ emotions.
5. **Relationship management/ Social skills:** You know how to develop and maintain good relationships, communicate clearly, inspire and influence others, work well in a team, and manage conflict.

Self awareness is said to be cornerstone of Emotional Intelligence. People with high emotional intelligence are usually very self-aware. It reflects person's ability to know reasons for his emotional responses thus improving the chances of his handling these emotional responses. They are **confident** because they **trust their intuition** and don't let their emotions get out of control. Self aware people have better understanding of their strengths & weaknesses. They know when to ask for help and whom to ask for help. **They take calculated risks**. Self aware people set **realistic goals** as they are well informed about their abilities and maintain positive goal discrepancy. Such people are capable of using their emotions to guide their preferences & decision making. They understand their emotions, and because of this, they **don't let their feelings rule them**. They are also willing to take an honest look at themselves.

Self management or Self regulation is important component of Emotional Intelligence as it frees us from being prisoners of our own feelings. This is the ability to **control emotions and impulses**. Emotionally Intelligent person can handle

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feeling of anger, anxiety, depression successfully and therefore are able to create climate of trust & fairness in which infighting is reduced and **chances of goal realization are increased**. These people are able to look for and understand reasons behind generation of certain emotions and hence can control it. Emotionally Intelligent persons have **enormous self control** and because of enormous self control they **can win trust of others**. People who self-regulate typically don't allow themselves to become too angry or jealous, and they don't make impulsive, careless decisions. They **think before they act**. Characteristics of self-regulation are thoughtfulness, comfort with change, integrity, and the ability to say no.

Self motivation is also important characteristic of Emotional Intelligence as it provides regular energy to work in the direction of goal. People with a high degree of emotional intelligence are usually motivated. Emotionally Intelligent people are **able to channelize their emotions in service of their goal**. They can withhold impulses and **delay their gratification**. They are **willing to defer immediate results** for long-term success. They **remain optimistic** even in the face of adversity and **don't hesitate to grab opportunity**. Their optimism enables them to overcome fear of failure and depression of occasional failure and keeps their commitment level high. They are highly productive, love a challenge, and are very effective in whatever they do.

Social awareness or Empathy can be described as **thoughtfully considering other's feelings and behave in manner to make others comfortable**. This is perhaps the **second-most important element** of emotional intelligence. Empathy is the ability to **identify with and understand the wants**, needs, and viewpoints of those around you. Empathic people **recognize emotions of others** and understand subtle social signal of what others want. Such people have tendency to recognize need of others and work to meet them. People with empathy are good at recognizing the feelings of others, even when those **feelings may not be obvious**. As a result, empathetic people are **usually excellent at managing relationships**, listening, and relating to others. They **avoid stereotyping** and judging too quickly, and they live their lives in a very open, honest way.

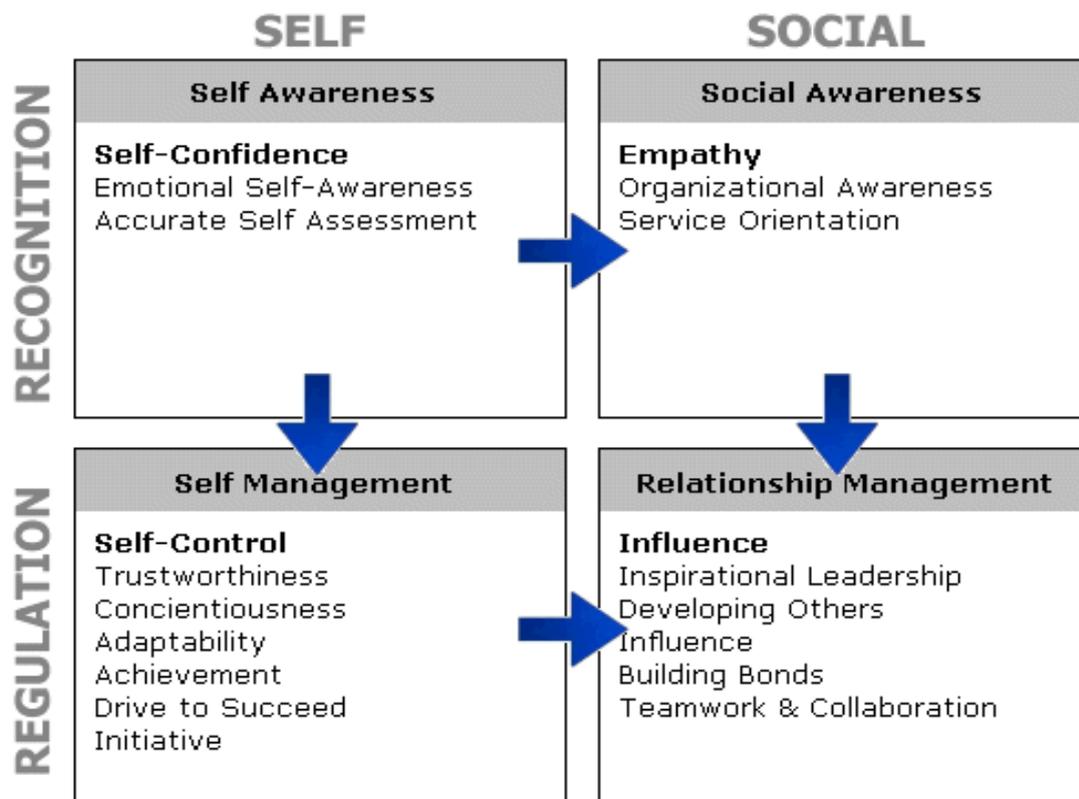
Social skill or Relationship management refers to **adeptness in inducing desired response in others**. It's usually easy to talk to and like people with good social skills, another sign of high emotional intelligence. Those with **strong social skills** are typically team players. Rather than focus on their own success first, they help others develop and shine. They can **manage disputes**, are excellent communicators,

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and are **masters at building and maintaining relationships**. Various social skills that define social competence of emotionally intelligent people are:

- 1) **Patience:** ability to remain calm & composed under stressful situations.
- 2) **Self confidence:** ability to have firm faith in one's capacity to handle various situations.
- 3) **Tactfulness:** delicate perception, which allows one to pick up social cues and execute right move at right time.
- 4) **Recognition of social environment:** Ability to analyze social environment & judge what environmental demands are.
- 5) **Social memory:** The memory of all important events names & faces.
- 6) **Sensitivity:** Being sensitive towards feelings of others.
- 7) **Cooperativeness:** tendency to work with others for realization of common goals it may also be referred as team work.
- 8) **Effective listening:** Ability to attend to message with understanding.
- 9) **Sense of Humor:** see lighter side of life & derive fun & happiness in social situations.

THE THEORETICAL 4 QUADRANT MODEL



To explain the model, which describes the development of Emotional Intelligence, begin by thinking about the first quadrant, "**Self Awareness**". Emotional Intelligence begins here, with an awareness of our selves. From this base spring the next

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two quadrants, "**Self Management**" and "**Social Awareness**". The implication is that only when one is self-aware can one begin to manage oneself; also, self-awareness is a requirement if one is to have an awareness of others' needs and concerns. Social Awareness includes the concept of being aware of the mood of a group - a skill sometimes described as **political deftness**. **Behaviour** is the domain of the fourth quadrant, for which the second and third quadrants are precursors. Summarised as "Social Skills", the **fourth quadrant includes skills such as:**

- influencing others;
- listening openly;
- communicating clearly;
- negotiating effectively;
- inspiring others and leading them towards a goal;
- building mutually beneficial relationships;
- and working with others in teams

These behaviours will be the most obvious outward signs of Emotional Intelligence. Similarly, gaps in outward Emotional Intelligence may have their roots in the other quadrants

Characteristics given by Mayer & Salovey

Salovey and Mayer proposed a model that identified **four different factors of emotional intelligence**: the perception of emotion, the ability reason using emotions, the ability to understand emotion and the ability to manage emotions.

- 1) **Perceiving Emotions/ Emotional identification & perception:** The first step in understanding emotions is to accurately perceive them. In many cases, this might involve understanding nonverbal signals such as body language and facial expressions. It is the **ability to perceive & identify emotions in faces, tone & body language**. It also involves capacity for self awareness and emotional literacy, which refers to one's ability to label feelings in oneself & others.
- 2) **Reasoning with Emotions/ Emotional facilitation of thought:** The next step involves using emotions to promote thinking and cognitive activity. Emotions help prioritize what we pay attention and react to; we respond emotionally to things that garner our attention. It is the ability to incorporate feelings into analysis, reasoning & decision making.

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- 3) **Understanding Emotions:** The emotions that we perceive can carry a wide variety of meanings. If someone is expressing angry emotions, the observer must interpret the cause of their anger and what it might mean. For example, if your boss is acting angry, it might mean that he is dissatisfied with your work; or it could be because he got a speeding ticket on his way to work that morning or that he's been fighting with his wife. It is the **ability to solve emotional problems** and to identify and understand relationship between emotions, thought & behavior. This ability is very important for survival of species.
- 4) **Managing Emotions/ Emotional Management:** The ability to manage emotions effectively is a key part of emotional intelligence. Regulating emotions, responding appropriately and responding to the emotions of others are all important aspect of emotional management. It is the **ability to take up responsibility** for one's emotions and ability to turn negative emotions into positive emotions.



According to Salovey and Mayer, the four branches of their model are, **arranged from more basic psychological processes to higher**, more psychologically integrated processes. For example, the lowest level branch concerns the (relatively)

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simple abilities of perceiving and expressing emotion. In contrast, the highest level branch concerns the conscious, reflective regulation of emotion.

IMPORTANCE OF EMOTIONAL INTELLIGENCE

As we know, **it's not the smartest people that are the most successful or the most fulfilled in life.** You probably know **people who are academically brilliant and yet are socially inept and unsuccessful at work** or in their personal relationships. **Intellectual intelligence (IQ) isn't enough on its own to be successful in life.** Yes, your IQ can help you get into college, but it's your EQ that will **help you manage the stress and emotions** when facing your final exams. Emotional intelligence affects:

Your performance at work. Emotional intelligence can help you navigate the social complexities of the workplace, lead and motivate others, and excel in your career. In fact, when it comes to gauging job candidates, **many companies** now view emotional intelligence as being as important as technical ability and require EQ testing before hiring. In developed countries, the **government jobs** too require to go through the emotional intelligence tests. However in **India**, no such tests are explicitly described.

Your physical health. If you're unable to manage your stress levels, it can lead to serious health problems. Uncontrolled stress can raise blood pressure, suppress the immune system, increase the risk of heart attack and stroke, contribute to infertility, and speed up the aging process. The first step to improving emotional intelligence is to learn how to relieve stress.

Your mental health. Uncontrolled stress can also impact your mental health, making you vulnerable to anxiety and depression. If you are unable to understand and manage your emotions, you'll also be open to mood swings, while an inability to form strong relationships can leave you feeling lonely and isolated.

Your relationships. By understanding your emotions and how to control them, you're better able to express how you feel and understand how others are feeling. This allows you to communicate more effectively and forge stronger relationships, both at work and in your personal life.

Impact of EQ in our life:

- 1) EQ allows us to **assume responsibility** for our feelings.

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- 2) It ensures that we are not easily threatened by criticisms and we take steps to improve shortcomings.
- 3) It allows us to **address our fears using reason** and prevents us from being penalized by them.
- 4) It increases **motivation, goal commitment** and improves our overall adjustment.
- 5) It improves and fosters **positive self concept** and helps us in making our lives more meaningful.
- 6) It enables us to raise our children in a rational manner. Children of such parents also develop high EQ.
- 7) EQ improves our physical health. Positive emotions, which are generated, remove tension & provide relief to internal body organs.
- 8) It enables us to **empathize with others** & improve relationships.
- 9) It helps in graceful aging. It enables elder citizens to accept old age positively, and thus remain useful contributors of society.
- 10) EQ empowers romantic relationships. It enables us to **become attractive** and ensures that others love us deeply.

EQ allows us better opportunities to utilise our cognitive abilities. For selection, IQ may be more important but our **EQ gets us promoted**. The world belongs to those who are skilled in managing emotions as only those people who are skillful in handling relationship are likely to succeed in various life situations.

THE CONCEPT OF INTELLIGENCE AND PROBLEMS ASSOCIATED WITH IT

Intelligence has been defined in many different ways including, but not limited to abstract thought, understanding, self-awareness, communication, reasoning, learning, having emotional knowledge, retaining, planning and problem solving. Intelligence is most widely studied in humans, but has also been observed in animals and in plants. A very **general mental capability** that, among other things, involves the ability to reason, plan, solve problems, think abstractly, comprehend complex ideas, learn quickly and learn from experience. It is not merely book learning, a narrow academic skill or test-taking smarts. Rather, it reflects a **broader and deeper capability for comprehending our surroundings**- "catching on," "making sense" of things, or "figuring out" what to do.

Intelligence has been the primary focus of psychological studies. Educational achievement, achievement of life goals, success, one's adaptability in one's environment, taking on challenges etc. depend on one's intelligence. Studies on intelligence have been focused primarily to know various component of intelligence or

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process of Intelligence so that intelligence may be measured. In the pursuit of measurement of intelligence, various tests had been prepared and one foremost parameter devised was IQ i.e. **Intelligence Quotient. IQ is a mathematical entity** which gives a numerical value to one's intelligence.

IQ allows one to compare one's intelligence with others and thus rendering inter personal comparison feasible. The many different kinds of IQ tests use a wide variety of methods. Some tests are visual, some are verbal, some tests only use abstract-reasoning problems, and some tests concentrate on arithmetic, spatial imagery, reading, vocabulary, memory or general knowledge. Intelligence plays an important role in our lives. **IQ scores are used as predictors of educational achievement, special needs, job performance and income.** An intelligent person has more chances of being successful than others in general. So IQ of an individual is measured for recruitment, diagnosis of mental disorders, job performance etc. However there are many inadequacies attached with the concept of Intelligence. These inadequacies are as following:

Inadequacies in concept of Intelligence:

- 1) Lack of **universally agreed upon definition of intelligence.** This implies there is always subjectivity. There is unanimity among various psychologists that Intelligence refers to processes/ components/ outputs of the **grey matter** or simply called brain. Still various psychologists have defined Intelligence in different ways.
- 2) Disagreement among psychologists regarding **relative contribution of nature & nurture in development of intelligence.** Various studies have found mixed results of relative contribution of nature and nurture in the development of intelligence. –Dickens and Flynn¹¹ have argued that **genes for high IQ initiate environment-shaping feedback**, as genetic effects cause bright children to seek out more stimulating environments that further increase IQ. In their model, **environment effects decay over time.** Further studies on intelligence have also found out that possible factors, like nutrition in early childhood, may cause permanent effects on intelligence.
- 3) **Real life experience shows that higher intelligence does not necessarily ensure better adjustability.** It has been found that there are factors other than intelligence, which determine individual's adjustment in one's environment.

Inadequacies associated with concept of IQ

- 1) **IQ = Mental Age*100/ Chronological Age**. Thus it considers that IQ is a mathematical entity which remains same throughout. However recent researchers have found that **IQ is not constant**. Further IQ causes categorization of people based on their IQ score, thus people with low IQ scores may be viewed in a negative light. This process of categorization is called Pigeon holing.
- 2) There occurs **significant variability in scores from one intelligence to another**. Howard Gardner has identified **7 distinct intelligences**. This theory has emerged from recent cognitive research and documents the extent to which students possess different kinds of minds and therefore learn, remember, perform, and understand in different ways. According to this theory, "we are all able to know the world through language, logical-mathematical analysis, spatial representation, musical thinking, the use of the body to solve problems or to make things, an understanding of other individuals, and an understanding of ourselves. **Individuals differ in the strength of these intelligences - the so-called profile of intelligences** - and in the ways in which such intelligences are invoked and combined to carry out different tasks, solve diverse problems, and progress in various domains".
- 3) It has been observed that **variability in IQ scores for different age levels on similar tests is not same**. This is primarily due to the reason that mental age doesn't go on increasing in parallel to chronological age.

The **knowledge of one's emotions is the basic feature of Emotional Intelligence**. If people can't recognize their emotions, it will leave them at the mercy of others and create distress in them. On the other hand, **people with emotional awareness are likely to be aware of their strengths & weaknesses** and it will enable them to exercise greater self control.

Awareness about one's self and emotions also improves self confidence to meet any challenge in life. Emotionally intelligent people may not be book smart but since they can handle their own and other's emotions, they often end up **holding positions that are superior** to positions held by people with higher IQ & low EQ. Though **areas of brain associated with IQ & EQ are different**, these two areas often work in tandem when a person is confronted with a problem situation.

EVOLUTION OF THE CONCEPT OF EMOTIONAL INTELLIGENCE

- 1930s – **Edward Thorndike** describes the concept of "**social intelligence**" as the ability to get along with other people.
- 1940s – **David Wechsler** suggests that **affective components of intelligence** may be essential to success in life.
- 1950s – Humanistic psychologists such as **Abraham Maslow** describe how people can build **emotional strength**.
- 1975 - **Howard Gardner** introduces the concept of **multiple intelligences**.
- 1985 - **Wayne Payne** introduces the term **emotional intelligence**
- 1987 –**Keith Beasley** uses the term "**emotional quotient**".
- 1990 –**Peter Salovey and John Mayer** publish their landmark article, "**Emotional Intelligence**".
- 1995 - The concept of emotional intelligence is **popularized** by **Daniel Goleman**'s book *Emotional Intelligence: Why It Can Matter More Than IQ*.

—Peter Salovey¹¹ & —John Mayer¹¹ are **credited for development of the concept of Emotional Intelligence**. Both worked independently to develop the concept of Emotional Intelligence. However both came with the concept of Emotional Intelligence at the same time so both are jointly credited. They defined Emotional Intelligence as the **Ability to monitor one's own feelings and emotions**, to discriminate among them and to use this information to **guide one's own thinking & action**.

The definition of Emotional Intelligence was redefined as the **Ability to perceive emotions, get access to emotions and to generate emotions**. Emotional Intelligence allows one to have **better understanding of emotions and in-depth emotional knowledge** which in turn allows one to regulate one's emotions and promote intellectual & emotional growth.

—Mayer & Cobb¹¹ defined Emotional Intelligence as the —Ability to process emotional information particularly as it **involves perception, assimilation, understanding & management of emotions**¹¹.

Thorndike gave the concept of **-social intelligence**¹¹ and it can be regarded as similar to Emotional Intelligence. Thorndike defines Social Intelligence as the Ability to manage men, women, boys & girls i.e. **ability to judge & act wisely in human relationships**. Thorndike also mentioned abstract intelligence & concrete

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intelligence. **Abstract Intelligence** is the ability to manipulate verbal & mathematical symbols, whereas **Concrete Intelligence** is the ability to understand & manipulate objects. **Gardner** through his description of **intra & inter personal intelligence** was able to describe intelligence in terms similar to Emotional Intelligence.

Sternberg gave his **triarchic theory** of intelligence.

1. **Componential intelligence** is the ability to **process information** (similar to abstract intelligence)
2. **Experiential intelligence** is the ability to develop insight into complex relationships & develop **novel solutions** to the problem.
3. **Contextual Intelligence** is the ability to **deal with the practical matters** in an intelligent manner. Such individuals are skillful in adapting to their social environment and through their skill can shape social environment. These are high on social competence.

“Daniel Goleman” has described Emotional Intelligence as the Ability that includes **self awareness, Impulse control, persistence, zeal, self motivation and empathy & social adeptness**. Daniel Goleman is of opinion that **individual’s success at work is 80% dependent on Emotional Quotient (EQ) and 20% on Intelligence Quotient (IQ)**. Daniel Goleman has reported that there are two regions in the brain – one associated with IQ and other with EQ. It has been found that Sub cortex is associated with Emotional Intelligence & Neo-Cortex is associated with IQ.

Daniel Goleman’s book focuses on the following aspects of EI:

- **IQ contributes only 20% to life success**, the rest comes from emotional intelligence (EQ).
- The **5 areas of emotional intelligence** are self-awareness, managing emotions, self-motivation, empathy and handling relationships.
- Human beings have the **equivalent of two minds** — one that thinks and one that feels. The two sections of the brain **operate independently**. The goal is to find an intelligent balance of reason and emotion.
- **Strong emotions interfere with clear thinking**. Anxiety undermines the intellect.
- Cultivating emotional intelligence is a **cost-effective management imperative**.
- **Feedback** is the currency of emotional intelligence in management.
- The **success of a group** is not determined by the IQ of the team members, but by their emotional intelligence.

EMOTIONAL INTELLIGENCE (EI) vs. EMOTIONAL QUOTIENT (EQ)

EQ is expression of Emotional Intelligence in behavior. Emotional Intelligence (EI) is innate i.e. Emotional Intelligence is genetic, whereas Emotional Quotient is acquired and it is an environmental entity. People with **unconditional positive regard and empathic understanding** have high Emotional Quotient. High EQ is the result of interaction of environment with high Emotional Intelligence. Not all infants react in same manner to stress, so Emotional Intelligence is different in all infants.

So —Steveheini has distinguished between **Emotional Intelligence & Emotional Quotient**. He agreed that two terms are used interchangeably but he is of the opinion that Emotional Intelligence refers to person's innate potential for emotional **sensitivity, memory, emotional information processing & emotional learning abilities**. These four attributes constitute core of Emotional Intelligence.

According to —Steveheini innate **Emotional Intelligence can either be developed or destroyed by life experiences**, the core of which include emotional lessons taught to us by our teachers, parents, caregivers during early childhood & adolescence. He refers result of these experiences as EQ. That is EQ refers to **relative measure of person's healthy or unhealthy development of innate Emotional Intelligence**. EQ is not a numerical ability like Intelligence Quotient (IQ). EQ simply represents the extent to which person's Emotional Intelligence has been developed. Two individuals even with same Emotional Intelligence may have different EQ depending upon their exposure & experience. Therefore it is not necessary that a person with high Emotional Intelligence has high EQ.

HOW TO RAISE YOUR EMOTIONAL INTELLIGENCE

Emotional intelligence can be a key to success in your life— especially in your career. The ability to manage people and relationships is **very important in all leaders**, so developing and using your emotional intelligence can be a good way to show others the leader inside of you.

All information to the brain comes through our senses, and when this information is overwhelmingly stressful or emotional, instinct will take over and our ability to act will be limited to the flight, fight, or freeze response. Therefore, to have access to the wide range of choices and the **ability to make good decisions**, we need

to be able to bring our emotions into balance at will. **Memory is also strongly linked to emotion.** By learning to use the emotional part of your brain as well as the rational, you'll not only expand your range of choices when it comes to responding to a new event, but you'll also factor emotional memory into your decision-making process. This will help prevent you from continually repeating earlier mistakes.

To improve your emotional intelligence- and **your decision-making abilities**- you need to understand and control the emotional side of your brain. This is done by **developing five key skills.** By mastering the first two skills, you'll find skills three, four, and five much easier to learn.

Developing emotional intelligence through five key skills

- The ability to quickly reduce stress
- The ability to recognize and manage your emotions
- The ability to connect with others using nonverbal communication
- The ability to use humor and play to deal with challenges
- The ability to resolve conflicts positively and with confidence

The five skills of emotional intelligence **can be learned by anyone**, at any time. There is a difference, however, between learning about emotional intelligence and applying that knowledge to your life. Just because you know you *should* do something doesn't mean you will—especially when you become overwhelmed by stress, which can hijack your best intentions.

In order to **permanently change behavior in ways that stand up under pressure**, you need to learn how to take advantage of the powerful emotional parts of the brain that remain active and accessible even in times of stress. This means that you can't simply read about emotional intelligence in order to master it. You have to experience and practice the skills in your everyday life.

1. Emotional intelligence (EQ) skill 1: Rapidly reduce stress: High levels of stress can overwhelm the mind and body, getting in the way of your ability to **accurately "read" a situation**, hear what someone else is saying, be aware of your own feelings and needs, and communicate clearly. Being able to quickly calm yourself down and relieve stress helps you **stay balanced, focused, and in control**—no matter what challenges you face or how stressful a situation becomes.

Stress busting: functioning well in the heat of the moment

Develop your stress-busting skills by working through the following three steps:

Realize when you're stressed – The first step to reducing stress is recognizing what stress feels like. How does your body feel when you're stressed? Are your muscles or stomach tight or sore? Are your hands clenched? Is your breath shallow? Being aware of your physical response to stress will help regulate tension when it occurs.

Identify your stress response – Everyone reacts differently to stress. If you tend to become angry or agitated under stress, you will respond best to stress-relieving activities that quiet you down. If you tend to become depressed or withdrawn, you will respond best to stress-relieving activities that are stimulating. If you tend to freeze—speeding up in some ways while slowing down in others—you need stress-relieving activities that provide both comfort and stimulation.

Discover the stress-busting techniques that work for you – The best way to reduce stress quickly is by engaging one or more of your senses: sight, sound, smell, taste, and touch. Each person responds differently to sensory input, so you need to find things that are soothing and/or energizing to you. For example, if you're a visual person you can relieve stress by surrounding yourself with uplifting images. If you respond more to sound, you may find a wind chime, a favorite piece of music, or the sound of a water fountain helps to quickly reduce your stress levels.

2. Emotional intelligence (EQ) skill 2: Emotional awareness: Being able to connect to your emotions—having a moment-to-moment awareness of your emotions and how they influence your thoughts and actions—is the key to understanding yourself and others. Many people are disconnected from their emotions—especially strong core emotions such as anger, sadness, fear, and joy. This may be the result of negative childhood experiences that taught you to try to shut off your feelings. But although we can distort, deny, or numb our feelings, we can't eliminate them. They're still there, whether we're aware of them or not. Unfortunately, without emotional awareness, we are unable to fully understand our own motivations and needs, or to communicate effectively with others.

What kind of a relationship do you have with your emotions?

Do you experience feelings that flow, encountering one emotion after another as your experiences change from moment to moment?

Are your emotions accompanied by physical sensations that you experience in places like your stomach or chest?

Do you experience discrete feelings and emotions, such as anger, sadness, fear, joy, each of which is evident in subtle facial expressions?

Can you experience intense feelings that are strong enough to capture both your attention and that of others?

Do you pay attention to your emotions? Do they factor into your decision making?

If any of these experiences are unfamiliar, your emotions may be turned down or turned off. In order to be emotionally healthy and emotionally intelligent, you must **reconnect to your core emotions**, accept them, and become comfortable with them.

Developing emotional awareness

Emotional awareness can be learned at any time of life. If you haven't learned how to manage stress, it's important to do so first. When you can manage stress, you'll feel **more comfortable reconnecting to strong or unpleasant emotions** and changing the way you experience and respond to your feelings. You can develop your emotional awareness by learning the **mindfulness meditation**.

- 3. Emotional intelligence skill (EQ) 3: Nonverbal communication:** Being a good communicator requires more than just verbal skills. **Often, what you say is less important than how you say it**, or the other nonverbal signals you send out—the gestures you make, the way you sit, how fast or how loud you talk, how close you stand, or how much eye contact you make. In order to hold the attention of others and build connection and trust, you need to be aware of, and in control of, this body language. You also need to be able to accurately read and respond to the nonverbal cues that other people send you.

These messages don't stop when someone stops speaking. Even when you're silent, you're still communicating nonverbally. Think about what you are transmitting as well, and if what you say matches what you feel. If you insist, –I'm

fine," while clenching your teeth and looking away, your body is clearly signaling the opposite. Your nonverbal messages can produce a sense of interest, trust, excitement, and desire for connection—or they can generate fear, confusion, distrust, and disinterest.

Tips for improving nonverbal communication

Successful nonverbal communication **depends on your ability to manage stress, recognize your own emotions, and understand the signals** you're sending and receiving. When communicating:

Focus on the other person. If you are planning what you're going to say next, daydreaming, or thinking about something else, you are almost certain to miss nonverbal cues and other subtleties in the conversation.

Make eye contact. Eye contact can communicate interest, maintain the flow of a conversation, and help gauge the other person's response.

Pay attention to non-verbal cues you're sending and receiving, such as facial expression, tone of voice, posture and gestures, touch, and the timing and pace of the conversation.

- 4. Emotional intelligence (EQ) skill 4: Use humor and play to deal with challenges:** Humor, laughter, and play are natural antidotes to life's difficulties; they lighten your burdens and help you keep things in perspective. A good hearty laugh reduces stress, elevates mood, and brings your nervous system back into balance. Playful communication broadens your emotional intelligence and helps you:

Take hardships in stride. By allowing you to view your frustrations and disappointments from new perspectives, laughter and play enable you to survive annoyances, hard times, and setbacks.

Smooth over differences. Using gentle humor often helps you say things that might be otherwise difficult to express without creating a flap.

Simultaneously relax and energize yourself. Playful communication relieves fatigue and relaxes your body, which allows you to recharge and accomplish more.

Become more creative. When you loosen up, you free yourself of rigid ways of thinking and being, allowing you to get creative and see things in new ways.

How to develop playful communication:

It's never too late to develop and embrace your playful, humorous side.

Try setting aside regular, quality playtime. The more you joke, play, and laugh—the easier it becomes.

Find enjoyable activities that loosen you up and help you embrace your playful nature.

Practice by playing with animals, babies, young children, and outgoing people who appreciate playful banter.

- 5. Emotional intelligence (EQ) skill 5: Resolve conflict positively:** Conflict and disagreements are inevitable in relationships. **Two people can't possibly have the same needs, opinions, and expectations at all times.** However, that needn't be a bad thing. Resolving conflict in healthy, constructive ways can strengthen trust between people. When conflict isn't perceived as threatening or punishing, it fosters freedom, creativity, and safety in relationships.

The ability to manage conflicts in a positive, trust-building way is supported by the previous four skills of emotional intelligence. Once you know how to manage stress, stay emotionally present and aware, communicate nonverbally, and use humor and play, you'll be better equipped to handle emotionally charged situations and catch and defuse many issues before they escalate.

Tips for resolving conflict in a trust-building way:

Stay focused in the present. When you are not holding on to old hurts and resentments, you can recognize the reality of a current situation and view it as a new opportunity for resolving old feelings about conflicts.

Choose your arguments. Arguments take time and energy, especially if you want to resolve them in a positive way. Consider what is worth arguing about and what is not.

Forgive. Other people's hurtful behavior is in the past. To resolve conflict, you need to give up the urge to punish or seek revenge.

End conflicts that can't be resolved. It takes two people to keep an argument going. You can choose to disengage from a conflict, even if you still disagree.

MEASUREMENT OF EMOTIONAL INTELLIGENCE

- 1) Self report tests
- 2) Other report tests
- 3) Projective test
- 4) Ability tests.

1. Self report tests: These instruments have been **commonly used to measure personality traits**. This type of test is often presented in a paper-and-pencil format or may even be administered on a computer. A typical self report inventory presents a number of questions or statements that may or may not describe certain qualities or characteristics of the test subject. Such questionnaires are often seen in doctors' offices, in on-line personality tests and in market research surveys. This type of survey can be used to look at your current behaviors, past behaviors and possible behaviors in hypothetical situations.

Early scales of Emotional Intelligence made use of self report measures. Self report tests of skills & abilities provide us information about how a person perceives his these abilities and skills. **Intentional & unintentional deception** by subjects is one of the major problems. Since definitions of traits to be rated is not specific so it is also one of the major problems.

2. Other report Inventories: Since Emotional Intelligence allows us better opportunity to handle people; so **perception of people can become crucial factor in judging Emotional Intelligence**. Observer's rating can help researcher know level of Emotional Intelligence of subject. However the problem is that **observers can be biased**. Since definitions of traits to be rated is not specific so it is also one of the major problems. In fact this problem of definition of traits to be rated is present in all rating scales.

3. Projective Tests: Projective test is a personality test designed to let a person respond to ambiguous stimuli, presumably revealing hidden emotions and internal conflicts. This is sometimes **contrasted with a so called "objective test"** in which responses are analyzed according to a universal standard for example, a multiple choice exam. The responses to projective tests are content analyzed for meaning rather than being based on presuppositions about meaning, as is the case with objective tests. Projective tests have their origins in psychoanalytic psychology, which argues that humans have conscious and unconscious attitudes and motivations

that are beyond or hidden from conscious awareness e.g. – **Thematic Apperception Test.**

- 4. Ability Test:** –Mayer & Salovey¹¹ have come up with a suggestion that Emotional Intelligence like traditional Intelligence is a set of skills & aptitude, so it can be measured with ability test. **Ability tests no doubt ensure objectivity** but major problem is standardized and objective ability tests.

Specific Instruments

- 1) **EQi by Bar-On:** EQi stands for **EQ inventory**. It is a self report test. It measures non intellectual aspects of Emotional Intelligence. Bar-On is of the opinion that Emotional Intelligence consists of a number of **non-cognitive competences or skills** and therefore one should devise a test that can measure individual's personality factors that play a role in defining his adjustments in his environment. Bar-On says that **Intelligence and Emotional Intelligence are interlinked** and intelligence provides platform to use Emotional Intelligence. He developed EQi competences required in **dealing with environmental demands**. It requires test taker's honesty & self awareness in order to be effective.
- 2) **Mayer, Salovey & Caruso Emotional Intelligence Test (MSC EIT):** It is an **ability measure** and therefore it is suited for measurement of the aptitudes that make the person emotionally intelligent. It is particularly used in situations, where response bias might **operate to dilute objectivity of the test**. It measures intellectual factors that influence Emotional Intelligence and over the years has proved to be very satisfactory instrument.
- 3) **Multifactor Emotional Intelligence Scale (MEIS):** An ability-based test in which test-takers perform tasks designed to assess their ability to perceive, identify, understand, and utilize emotions. It is based on Mayer, Salovey model of Emotional Intelligence. It yields **total intelligence score** (IQ + EQ). It has scores for each of four branches of Emotional Intelligence, namely
 - a) Emotional identification & perception.
 - b) Emotional understanding.
 - c) Emotional management.
 - d) Utilization of emotions.

It takes about 30 minutes to complete the test and 5 minutes to hand score. Test has detailed feedback booklet that explains test & scores to the clients. The test

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focuses on measurement of Emotional Intelligence though it also measures interaction between EI & IQ.

- 4) **MEIS (tm):** It is the revised version of MEIS. Similarly to MEIS, this has been designed to measure 4 branches of Emotional Intelligence as given by Mayer & Salovey. It is useful in giving **information regarding career development**, planning, management development, leadership training & team effectiveness training. MEIS(tm) along with MEIS has been useful tool for general self education & knowledge.
- 5) **Seligman Attributional Style Questionnaire (SASQ):** Originally designed as a screening test for a life insurance company, the SASQ measures optimism and pessimism.
- 6) **Emotional Competence Inventory (ECI):** Based on an older instrument known as the Self-Assessment Questionnaire, the ECI involves having people who know the individual offer ratings of that person's abilities on a **number of different emotional competencies**.

Development of Emotional Intelligence:

Emotional Intelligence **can be developed if appropriate guidance & training is provided**. Therefore appropriate socialization that involves exposure to appropriate role models, opportunities to experiment & explore under condition of **unconditional positive regard** can help the individual to attain emotional control and develop Emotional Intelligence.

- 1) Encourage children to attend **personality development workshops**.
- 2) By serving as **good role models**.
- 3) By providing **reinforcement to achievement oriented behavior**.
- 4) By **exposing them to media programs** that are informative & educative.
- 5) By **reading to them stories** and making them read the stories that help to develop positive values.

Dille Hunt & Stone in their study found that **Emotional Intelligence can be developed by:**

- 1) **Developing stress tolerance capacity** through methods of **relaxation training & guided imagery**. It will cause **desensitization**. Even biofeedback is useful in developing stress tolerance.

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- 2) **Increasing individual's self acceptance** by helping him interpret his behavior in a positive light. **Positive self talk** is of enormous help in this regard.
- 3) **Self disclosure** can be facilitated by increasing individual's self awareness level & by creating in him the confidence that disclosure in no way will harm but strengthen his inter-personal relations.
- 4) By **encouraging taking own decisions and assume responsibility for them**. This helps in development of decision making capacity and taking strong decisions.
- 5) By providing the **individual assertiveness training**. It prevents individual from being misused by others. But remember line between aggression & assertion.
- 6) By **helping individual becoming introspective**. Introspection will lead to better knowledge of one's attitudes; values etc. and reduce discrepancy between attitude & behavior.
- 7) By **developing empathy by exposing to role models** with altruistic behavior and placing him in situations, where he is encouraged to take perspective of others and thus helping in better understanding of others' perspective.
- 8) By **helping to improve communication skills** as it will reduce scope of misunderstanding. It will help one to develop ability to understand verbal, non-verbal signals and synchronize various signals of others.

Grant has listed following steps

- 1) Developing the ability to control one's Impulses.
- 2) Developing ability to delay **gratification**.
- 3) Developing **Positive attitude**.
- 4) Developing the ability to read & interpret **social cues** effectively.
- 5) By developing the ability to **assess intensity of feelings of others**.
- 6) Developing one's ability for **greater stress tolerance** through meditation & exercises.
- 7) Teaching one to use **self talk** to handle the stress.

Stanford Marsh Mallow Experiment: —Walter Mischell conducted a series of studies on **ability to delay gratification**. He found that ability to delay gratification is **directly proportional to success in life**. In these studies, a child was offered a choice between one small reward (sometimes a marshmallow, but often a cookie or a pretzel, etc.) provided immediately or two small rewards if he or she waited until the experimenter returned after an absence of approximately 15 minutes.

4 years old children were given two options:

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- 1) Either to have one marsh mallow now and eat it.
- 2) Or have one marsh mallow now, and in case child can wait for 20 minutes and doesn't eat it, then he will be rewarded with one more marsh mallow.

In follow-up studies, the Mischel found that **children who were able to wait longer for the preferred rewards tended to have better life outcomes**, as measured by SAT scores, educational attainment, body mass index (BMI) and other life measures. Children, who had overcome eating marsh mallow immediately, developed into socially, emotionally & academically successful persons. **Self control at the age of four years was shown to be twice as powerful predictor of academic success than IQ.** In this experiment, ability to delay gratification was seen as master skill, a victory of reasoning brain over impulsive brain. Other researchers, who carried out longitudinal researches, have also found similar results. **Children who can delay gratification turn out to be more socially competent.**

Martin Yate found that **different professions required different amount of Emotional Intelligence.** High Emotional Intelligence is highly required in the fields of **Psychiatry, Social work and geriatrics** but High Emotional Intelligence is not so required in the professions of biochemist, botanists etc.

US Air force & Multi Health Systems (MHS) carried out study & found that EQ accounted for **45% of success** in sample of 1171 recruits studied worldwide. The best performing recruits scored high on empathy, initiative taking, optimism, inter personal relations & assertiveness.

In Manila University a study was conducted on 100 frontline bank employees consisting of 56 females and 44 males. They were administered EQ tests along with widely used IQ tests (cognitive intelligence tests). In addition to that there was independent performance review of each employee by his/her supervisor. It was found that IQ scores were quite unrelated to job performance as they accounted for less than 1% of evaluation, **EQ accounted for 27% of job performance.** The study shows that EQ is better predictor of job performance. So it is more important to have more stress on EQ for Selection.

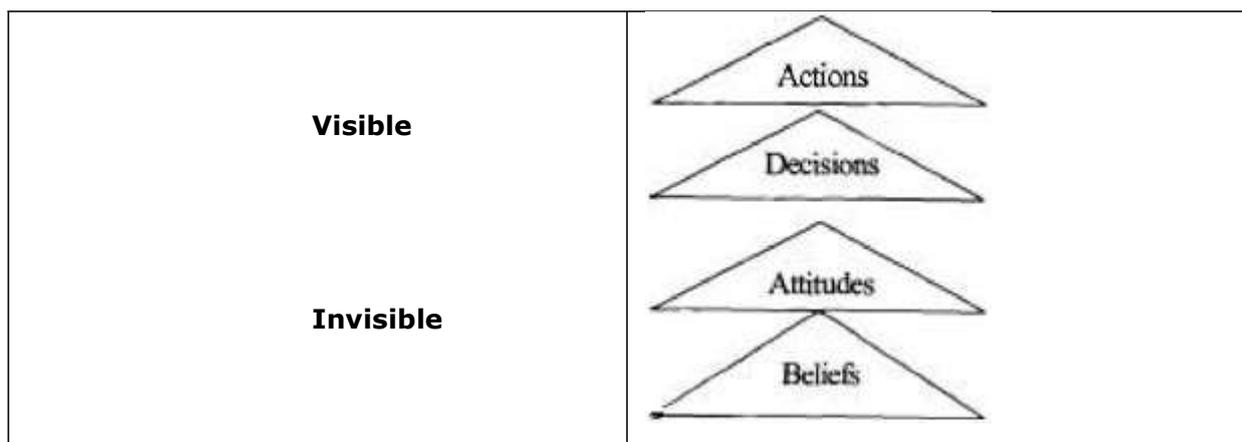
(THERE ARE SOME OTHER SECTIONS ON EMOTIONAL INTELLIGENCE COVERED IN ORIGINAL NOTES)

HUMAN VALUES

Human Values cannot be defined by one definition alone. Many educationists have attempted to define values. Values are defined as "the **principles and fundamental convictions** which act as general guides to behaviour, the standards by which particular actions are judged as good or desirable". A value is also defined as a **set of principles** which are consistent and inform and direct our thoughts, actions and activities. People grow and learn from life's experience, and this learning guides their behaviours. These **guides to behaviours** have been termed as values.

Values are the ideals which **give meaning to an individual's life**, shape behaviour and lend consistency to it. A **person's actions are informed by the beliefs**, which ultimately help in taking decisions about how they will live. It is important to progress from, "knowing the good to be desirable" to "desiring to do the good".

The relationship between values and actions can be explained through the **four layered pyramid**. In the four layered structure, the topmost layer is the **visible part**, which denotes the actions a person takes. These actions are just "the tip of the iceberg", which are the result of the **invisible factors** i.e. our beliefs, which affect the attitudes to the events around us and the decisions one takes to act, depending on our attitude. This is illustrated in the figure:



The common thread which runs through the above explanation is that **values have a rational and cognitive basis** which shapes the behaviour of individuals.

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Values flow from the highest of our own self. For each one of us, there are values rooted in the finest part of the self from where we radiate outwards. These values are an **inbuilt mechanism**, which distinguishes the right from the wrong, the Do's and Don'ts of any action, even when no one is looking. Values are **concerned with character and conduct** of a person and evaluate the voluntary and habitual actions of individuals with reference to their being right or wrong. They are **moral principles** or standards, which define what is right and good in human conduct.

There is another view on the values, that this self-managing mechanism is not intuitive, but it is **acquired from the environment** by continuous teaching and the behaviour of others, especially the **superior in age and status**, as perceived by an individual. We cannot deny the impact of environment, society and family on an individual for the values he imbibes. At the same time, we cannot deny the fact that the **source of values is within**, which guides one in making choice in acquisition of learning from the environment.

We can say that there are uniform (Universal) values inbuilt in each one of us. They flow out of the highest of our own self, our ultimate holistic potential. They **refer to our intrinsic humanness**. Individual or personal values vary to the extent one is conscious towards this inner source and the extent to which one tends to compromise with it in the given cultural environment and other compulsions. Thus **both the source within and the cultural environment are important for inculcation of values**.

Further **some degree of variance** is possible in value systems in different social environments, in which a person lives and acts- be it the family, the neighbourhood, the place of work, the community or the country at large. However, at the root of all the value systems, there are **certain Universal Values**, which are uniformly accepted. Such values lead to the **betterment of the entire humanity**. In the given culture, some deviations may come in the value-system due to the compulsions of the circumstances then prevailing. Such **deviations hold good in those circumstances and time only**, but do not hold good forever.

For example wearing of **five symbols of Sikhism** was made compulsory during the wartime in eighteenth century. **Marrying upto four women in Muslims** was allowed when male population had reduced drastically due to war. Such customs are not relevant in the modern times, but due to conditioning, they keep following the same practices. Many **social evils like untouchability, child marriage and caste-**

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system also become part of a value system. Thus none of the value systems is perfect in absolute terms. The **nearer a value system is to the Universal values**; the better it is in terms of virtues and righteousness. The deviations in the value systems only lead to conflicts and wars and are against human development.

There are **certain qualities/ emotions, which are accepted as Universal Human Values** such as non-violence, gratitude, humbleness, forgiveness, integrity, honesty, patience, innocence etc. **Personal values** are those principles, which govern our perceptions and action. For example the **terrorist attack on 11th September 2001 on the twin towers of the World Trade Center** at New York and Pentagon at Washington has shocked the world. Majority of the people who value peaceful life and non-injury would condemn the action, which has resulted in so much of damage to life and property. But the people who were behind the hijacking of the plane leading to the tragedy apparently had values of a different type. Those who are condemning the terrorist attack **probably value the peace in a society**, respect for life, not causing harm to innocent people as important values so that a society can peacefully progress. On the other hand, those who willfully caused the terrorist attack are derived by different set of values. Such values are **condemned by humanity** and are not desirable as they are purely destructive.

Thus the **set of traits as are not desirable** are greed, anger, envy, arrogance, vindictiveness and vanity etc. Such qualities or traits, **lead to destructive actions**. When practiced over a period of time, they build into habits. Desirable values derive a person to use his capabilities for positive actions, i.e. actions useful to humanity (and not self alone), while the **undesirable values derive them for negative actions**, which may result in his own benefit or fulfillment of desire, but are in a long run harmful to both the society and the doer. Values guide us in deciding what is to be done and also the means that should be used for such action.

Values are universal, absolute and **beyond the situational, cultural, race and creed disparities**. Our **outer behaviour reflects how far we abide by this inner value-system**. We can say that whatever our conduct ought to be when we are in tune with this inner source is what we term as Ethics. The more our conduct is in consonance with the inner values, the better composed and integrated our personality is.

To be of good character is a lofty goal, but how can we define good character? Obviously there is **no universally accepted answer** to this question. Good

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character is defined by people differently based on their individual, cultural, social and familial beliefs. Our character is comprised of our **moral and ethical decisions and behavior**, based on our beliefs and values. Our values are determined by our character. Our feelings are determined by our thoughts; our thoughts are determined by our beliefs.

When, where and how is character developed? **Character development begins in early childhood.** In those first years of life we are taught right from wrong, to **feel empathy for others** who are suffering and to feel guilt when we do something wrong or hurt others. We also develop our values during those early years. A child learns to value behaviors that are believed to be held in high regard by others around him or her. Those behaviors and beliefs that are thought to please others are repeated, and become an intricate part of who we are. We determine **which beliefs and values are acceptable** by mimicking the behavior and following the thinking of those who influence us. These are the **outward manifestations and processes** of their values and beliefs.

Values provide a **framework for making choices between desirable and undesirable responses.** Values also refer to priorities that an individual assigns to multiplicity of goals. It thus **provides direction** to and determines intensity of individual responses. Stronger the value system more intense will be the action in pursuit of that value. In order for organisation to achieve **unity of action** amongst diverse employees it is imperative for them to **articulate core values** and seek adherence to those values by individuals. The core values of an organisation are derived from the vision and expectations of strategic stakeholders.

As organisations struggle to survive in a highly **uncertain and turbulent environment**, they have no option but to carve out a space for themselves in the global economic order. Organisation cannot longer afford to remain **passive recipient of environmental forces**; instead their sustainable growth will depend on becoming active agents in **transforming the environment** to make it conducive to give expression to their ideas and intentions. It is these compulsions that have led most organisations to develop vision and articulate a set of values providing focus to their responses to the demands of internal and external stakeholders.

One of the challenges faced by **organizations functioning in the global economy** is to maintain its core values despite the differences in respective local cultures in areas of its operation. The organisation's core values may not be congruent

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with the **existing societal value system** thereby necessitating special drive in upholding its core values. For example, most **multinationals** working in India will have service orientation as an important core value that they attach importance to. However, in India due to the **legacy of the bureaucratic regime** and state controlled economy, service orientation as a value is not attached the same importance as is required in a globally competitive environment.

VALUES IN ADMINISTRATION

When we talk about administration, we have in our mind the Public Administration only. Invariably it has to do everything with the whole Government set up and its variety of activities. All these activities are undertaken to provide **all types of social, economical, and utility services** to its citizens for the all round development of the people. Not only this, Administration is required to have **capability of acquiring a sustained growth** and to cope with new continuous change towards the achievement of progressive political, economical and social objectives, thus leading to National building.

We hardly find any activity, which does not fall within the sphere of administration. One word, which is now becoming increasingly popular, is Governance. Governance is what the Government does. Basically, **good Public Administration can only lead to good governance.** The success or failure of activities of the state depends upon the proper execution of national plans and programmes. No plan, howsoever, good it may be, can be successful without **clean, efficient and impartial Administration.** However, today we find ourselves to be a part of the administration, which is neither clean nor impartial. We find **corrupt practices, low morale, favoritism, culture of high consumerism, casteism, and nepotism** all around us. To an extent, we are also part of it. That is why we could not progress in all walks of life, the way we should have.

In the organisation, we are laying **much stress on skills-development**, which of course is required to keep pace with the changing technology and requirements. At the same time, efforts to some extent are also being made to **develop positive attitude of the government officials** towards the desired acts and behaviours. However, little is achieved through all the efforts made in this direction. Today, we find **lot of gap between theory and practice**, belief and action. This gap leads to **hypocrisy.** This contradiction leads to tensions and stress in the society. The contradiction between our thought and practice fetters us. We are able to realise what is

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ethically wrong and wish to remove it. But our own doings fail it. According to Gandhi, **social development** must aim at removing as far as possible this contradiction.

Present day administration and politics widely acknowledge that **corruption and power abuse weaken the nation**. The obvious solution is better, more transparent and accountable administration. Such an administration can be trustworthy only when it is based on **deeply felt human values**. Unless values are inculcated within human beings, their **attitude and behaviour** cannot be changed through superficial efforts. Our national leaders were conscious of this felt need and had been emphasising the human values. If **sound, positive, noble human values** are nurtured within the process of human development, ethical behaviour tends to become natural, spontaneous and almost instinctive. Such values only can lead to Good governance. Shri **Rajagopalachari** has thus observed:

“National character is the keystone on which rests the fate and future of our public affairs, not this or that ism”

Therefore, Inculcating Values rather than Ethics is becoming a global concern now a day. **Real transformation as a human being** can only bring about a sustainable impact towards Good-Governance. Human beings only are the **real goal of all developmental activities**. The physical amenities and prosperity achieved through various measures is meaningless if the human beings are not able to ascent from the **primitive instincts**. While Ethics can ensure outer desired behaviours, they create a **mismatch and conflict within the doer**, if his/her inner disposition is not consistent with the act. Thus we can impose certain rules, codes of conduct **superficially only**; which will be followed under given compulsions, apparently meeting the requirements. But they may be broken the moment these compulsions are no more.

However, **if sound values are inculcated within**, the action outside becomes **voluntary, spontaneous and self-motivated**. Naturally, such actions will be much more effective, humane and wholesome in nature. Thus there is a need to emphasise on **values of individual**, as organizational values always derive from individual values. Individual is the foundation of a group, a society or a country as a whole. Our **great modern thinkers** like Tagore, Vivekananda and Gandhi have devoted their lives to the betterment of our society. They always emphasized **purity and strength of human character**.

Values transformation is an experiential process. The Indian

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concepts give intellectual clarity, while mind- stilling exercises offer a practical basis for **right kind of emotional development**, which is more critical for human values. The normal outgoing tendencies in a man, which tend to land him in a mess, is balanced with a **harmonizing inward journey**. Effort is also made to blend conceptual insights with the practical issues of value-based human response in organizations.

WHERE TO START NOW?

The question thus arises from where should we start now? **Swami Vivekananda** explains: **This world is like a dog's curly tail**, and people have been striving to straighten it out for hundreds of years. But when they let it go, it curls up again. How could it be otherwise? So we should always remember the instance of the curly tail of the dog. We need not worry or make ourselves sleepless about the world. It will go on without each of us. Our worries will not help it. But when we stop worrying about the world, then alone will we be able to work well. **It is the level-headed man, the calm man of good judgement and cool nerves, of great sympathy and love, who does good work and so does good to himself**. The one who is complaining all the time is foolish and has no sympathy. He can never straighten out the world, nor can he improve himself.

Many a times we do have the ideas for **how the things can improve**. But we are not really able to help them out, as everything is not in our control. We feel concerned with number of issues and happening all around us, but **we have no control over them**. This is what we call „**area of concern**“. Still there is a small area, be it very small, but this is the area, where **we can really do something**. We have an influence and it is in our individual control. That is our „**area of influence**“. This is the area where we can really make an impact. It may be too small and of little importance, when viewed with reference to the whole gamut, but this area alone is of utmost importance to each of us individually.

How? If we put our energies to the area of concern the net result is not only zero but goes in minus, because nothing is achieved and we are left most dissatisfied. However, if we withdraw our energies from all this big „**area of concern**“ and **apply them in our „area of influence“**; definitely a **positive impact will be made**, giving satisfaction. While the energy wasted in „**my area of concern**“ has the impact of reducing „**my area of influence**“, the energy utilized in „**my area of influence**“ will result in increasing this area. Slowly and slowly, this area will grow, which means our influence will start increasing. This area of influence only is our respective **Zone of**

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Discretion.

The message is very clear. **We can start from our own self only**, without looking at what others around are doing and how. This may be coupled with a positive attitude towards the world, which is explained as a curly tail of dog. In other words **we should not reject the world, but accept it the way it is**. Thus in every situation where we are required to perform or act; we should not get upset by the various problems created by the systems and people around; but accept and visualize calmly the whole situations/ conditions/ problems around and think: „**Given the situation what best can I do and how?**“

One may question, **why should I as a person be interested in values?** The basic answer to this is 'for my own personal development because, I want to become more peaceful and integrated person; for getting relief from day to day tensions'. This is a kind of selfishness, which primarily helps me and in course of time, goes to help others in the family, society, organisation and the nation on the whole.

Thus: Σ individuals = Organisation.

INDIAN INSIGHTS

In our work situations, the **organisational behaviour theories of the west guide us**. As is obvious, these theories and practices which deal with only one-ninth of the Indian population while the **eight-ninth of the Indian population is traditional (normative)**. The men in the fields of India are guided by the insights embedded in the **structure of Indian thoughts**. Thus the western thoughts have not been able to lead us much ahead. It is important to **look into our own Indian thought** and find solutions therein. The Indian philosophy has set the ultimate goals for humans and Indian psychology provides practical methods in graded steps to march towards these goals.

Doubts may arise as to whether it is possible to progress and achieve the desired **results by following the Indian thoughts** and practices; and also whether it is possible to practically work on those principles in the today's scenario. We need to look into the **Indian history** and in the times when it was known as **Golden Bird** (sone ki chidia) for all its prosperity and richness. The credit goes to all the saintly kings, from king Janaka to Ashoka, Akbar, Harshabardhan and the like; who had **put into practice human values ideology as given in Vedanta** and the other ancient Indian thoughts.

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Our **leaders like Tagore and Gandhi** have lived the human values like purity and holiness, non-violence and moral courage. Gandhi forcefully and convincingly demonstrated the power of spirit over material things. Coming to the **present times**; we see all over the world that even the most developed countries as are at the top of materialism have started realising that **material prosperity is not development of Human beings in true sense**. A realization has now come that unless we are developed as **better human beings**; other forms of development have no meaning. From USA to UK, Indonesia and Malaysia to the Philippines, **serious attention is being devoted to religion in order to revive human values**.

In Indian organisations, both private and public, a realisation has come that **value based management and administration** only can save us from the adverse consequences of the present situation. Unless **all the individuals** who work for an organisation imbibe these values, both in theory and practice, the system cannot change.

Our **Indian Insights** have the answer to this in purification of mind. Values emerge spontaneously and effectively only from a purified mind. The basic Indian goal of **self-transformation towards a more refined spiritual consciousness and purer mind** with its many paths and practices are more pertinent to many of the issues and problems of Indian Administration than the current western models. To quote **C. Rajagopalachari**:

"**National character**, again, depends on and in fact is individual rectitude. Movements for the encouragement of personal rectitude, for purifying individual character, are therefore not irrelevant in the context of politics but are vitally connected with our hopes in respect of national affairs".

Meditation provides us an opportunity to withdraw for a time being from the outer world and be with our **inner source of values**, the highest and the finest part of our own self. It also gives us a **chance to introspect our own acts and deeds** and rectify them by changing our thought process, withdrawing our mind from the vicious thinking and applying it in accordance with this higher source of values. This leads to purification of mind. Thus the effort to apply **right thought for right actions** in the organisation can only slowly go to improve our administration. Such an effort then goes to have a multiplier effect.

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HOLISTIC COMPETENCE

This **journey towards imbibing values** (and not only discussing them) is based on ancient Indian classical work in the area of philosophy and psychology. Unlike in other countries where these two are dealt as separate subjects the Indian **psycho-philosophy developed together**. The deep philosophical outputs are dealt with psychological experiences, which help the seeker to internalise them. They enable the learner to learn **how to put into practice** these rich thoughts so as to enhance practical effectiveness.

Such value based competence is much more efficient than the Professional competence. **Professional competence** is based only on **development of skills** and do not take care of means and thus the results are more visible and immediate, but are short lived as the approach is not holistic. As against these, when the **skills combined with values** are used in wholesome manner, they result in long-term gains, though **for a short-term it may be painful** or more demanding. Skills, which are not value-based, may often be misused. Thus in a long-term they are the failure. One has to chose between **'short-term gain and long-term pain'** or **'short-term pain and long-term gain'**. In value based skill development, we expand the definition of success, making it **long-term, sustainable and wholesome**. Such value-based skill development leads to **'Existential or Holistic Competence'**.

While about **50 years back**, development of such existential competence was imparted in natural way in the **family, society and educational institutions**. **With increase in materialism**, we have started chasing the worldly things, thus withdrawing our attention from consideration if our actions are morally sound or not. Moral education has slowly been taken away. That is why today many of the successful persons are apparently successful, but are not real winners within themselves. **Existential competence** ensures both the success outside and survival within. The **success of Japan** is based on values similar to Indians, using **seishin kyooiku** (Spiritual education) to counter the evils of industrialization and integrating the family values into management of organisations.

VISION AND VALUES

Vision provides a conceptual framework for **understanding organisation purpose**; it serves as a guiding philosophy defining the **core values and beliefs** that drive the organisation. It usually has **emotional appeal** that is

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inspirational and enduring. A vision statement defines the perpetual purpose of the organisation that is relevant and applicable for all times rather than describing what the organisation currently does. A classic example is **Dhirubhai Ambani's vision** of "making a telephone call cheaper than a post-card in India". It is towards realisation of this vision that Reliance Infocom has entered the Telecom sector in a big way to provide this facility in un-reachable and remote areas of the country.

Vision incorporates different aspects of **purposefulness of the organisation** such as customer orientation and employee focus, it outlines standards of excellence for the organisation and delineates organisational competencies. The vision statement serves as an anchor and provides **unified direction and focus** organisation to survive in an increasingly turbulent environment. An exciting, challenging and excellence centered vision gives a sense of pride to the organisation members as they are able to identify themselves and work towards the attainment of the overall objectives of the organisation.

Values are derived from the **basic assumptions** held by a group of people about themselves, others and the world. Values provide a framework enabling individuals to **prioritise their actions**, make a choice of options, determine preferred ways of responding and distinguishing between **desirable and undesirable response**. Values thus affect all our decisions and actions and have a self prophetic impact on our being. Given its significance, it is obvious that **unity of action amongst employees** towards the common purposes of the organisation cannot be achieved unless they adhere to a common set of values.

Values operate at least at **three levels**: individual, socio-cultural and organisational levels. **Individuals** belonging to the same socio-cultural milieu may differ in terms of their value system. At individual level, value tends to differ in, term of their importance and intensity. Every individual therefore develops a hierarchy of values. **Socio-cultural value systems** are derived from the basic belief about the nature of society and its relationship with environment. It has its historical roots in cultural traditions of the society and in its triumphs and trials. Likewise **organisation** designed by people develops their own value system arising primarily cut of compulsions to survive as a viable entity.

VALUES AND ATTITUDES

Values are expressed in terms of attitudes which in turn provide

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direction to one's responses. For example, a Professor who believes strongly in the work ethic will tend to express attitudes towards a student and methods of studies as a means of reflecting this value. It is not uncommon to hear managers making statements such as "there is no substitute to hard work in this organisation. It is the hard work which has helped the organisation achieve new heights everyone is expected to follow this ethics".

In **pre-liberalisation era**, value system in organisations grew primarily out of the societal value system making the organisations microcosms of larger society. In the current and emergent scenario, organisations need to make deliberate choice with regard to **developing value systems** which would enable them to gain and maintain competitive edge. Most organisations therefore **articulate core values** such as quality, customer satisfaction, environmental protection, employees' development, human dignity and respect, technological development, social responsibility, etc. Core values that organisations seek to pursue may be at variance with the societal value system as also the **value profile of individual employees** as organisations expand their activities across national and regional boundaries.

Most organisations articulate certain core values that **must be adhered to by the employees**. Identification with these values by the employees is significant as it becomes a **substitute for sacrifices made by them** by virtue of their membership in the organisation. Employees learn to accept these values and start believing that the organisation will not do anything that would hurt them. The personal costs of working long hours, meeting strict deadlines and the like are overcome by **adhering to higher human values** such as serving the community or the society with high quality products and services.

Core values developed by the organisation must be **internalised by organisation members** so as to bridge the gap between value system of the individuals and the collectivity. In the **absence of conscious effort** to develop shared value system, the employees will continue to adhere to their archaic value system derived from the old assumptions, or by the pre-dominant value system prevalent in their social cultural milieu. In either case, the **organisation will not be able to optimally channelise the energies** and efforts of its members towards purposive action.

Although organisations have been **quick to realise the significance of value driven responses**, and have thus articulated their core values, adherence/

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internalisation of those values on the part of the employees **still remains an illusion**. Because of abstract nature of values, employees often find it difficult to give concrete shape and translate the values in their day to day activity, divided as they are along the lines of function, hierarchical levels, nature of product and services. It is advisable therefore **within the overall framework of the corporate value system**, every department, every function and identifiable product or service group must develop operational values relevant to the demands of their task and their respective contexts.

VALUES AND EMOTIONS

He is (feeling) jealous. I am (feeling) angry.

My heart filled with (the feeling of) gratitude.

We should have (the emotion of) universal brotherhood.

In all the above sentences, we are **talking about feelings**, which are much more linked with heart than brain. Values have much to do with emotions. A computer, which is **artificial intelligence**, is devoid of all these feelings. Let us have a look at the following two domains of emotions:

<u>Domain A</u>	<u>Domain B</u>
Compassion	Greed
Gratitude	Anger
Humanity	Arrogance
Patience	Envy
Selflessness	Jealousy
Sincerity	Vanity
Honesty	Lust
Integrity	Vindictiveness

We do have sense of the values in both of these domains. We feel **comfortable in the ambience of emotions given in domain A** and are uncomfortable in the atmosphere filled with emotions given in domain B. There is affluence in the quality of emotions in domain A. They have a **sense of fulfillment** and have positive vibrations. We call them positive values or Human-values. Thus for values-orientation (change/transformation), we have to work on emotions. On the one hand we have to develop/ imbibe positive values and at the same time we should be aware of our negative emotions also, so that we can work them out.

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Impact of both emotions and intellect can be positive or negative. When an emotion has a **virtuous basis**, e.g. compassion for the unhappy, it can inspire the intellect to act usefully, but when an emotion is vicious, e.g. envy, it can drive the intellect to act destructively. **Emotion is indeed the motive power behind intellect.** This is what must have promoted:

1. **Einstein** to declare: ‘_And certainly we should take care not to make intellect our God... The intellect has a sharp eye for methods and tools, but is blind to ends and values’.
2. **Russell** to warn: ‘_Science is no substitute for virtue.... If men were rational in their conduct... intelligence would be enough to make the world a paradise..... But men are actuated by passions which distort their view...That is why the heart is as important as the head... Where they (kindly impulses of the heart) are absent, science only makes man more cleverly diabolic.’
3. **Vivekananda** to affirm: ‘_But the professor is bound by his intellect, and he can be a devil and an intellectual at the same time; but the man of heart can never be a devil; no man with emotion was a devil.’
4. **Toynbee** to detect: ‘_The effect emotion exerts on human actions is as strong as- perhaps stronger than- that of reason. Consequently, emotion can get the upper hand and suppress theoretical knowledge, which is dependent on reason’.

Our **Indian psychology** lays emphasis on **chitta-shuddhi**, i.e. **purification of heart** or hridaya-vritti as the more important and prior requirement in human development. The **edifice of intellect or buddhi-vritti** can be safely mounted only on such a base of pure heart only. We are lately talking of emotional and spiritual intelligence because we are now able to realise their importance in the human development in real terms.

POWER OF BRAIN

Neuropsychology in West today has rediscovered the truth that the human brain has **two distinct** but complementary powers. These are:

I: Rational, Sequential, logical, Segmented, Inductive, Analytical.

II: Emotional, Spatial, Synthetic, Impulsive, Intuitive, and Holistic.

The **first set**, according to them is confined to the **left hemisphere of the brain**, and the second to the right. Now, the **modern knowledge-oriented**

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educational system puts exclusive emphasis on the development of the left hemispheric powers of the brain. There is much more emphasis on development of analytical, logical and rational powers of the brain, while the development of emotional, intuitive and holistic powers of **right hemisphere of brain is almost totally neglected**.

Many really creative persons or genuine entrepreneurs are usually found to be comparatively **less formally educated**, or have somehow been able to retain their **natural intuitive capacity** even in the face of awesome analytical atmosphere. **JRD Tata, Rabindranath Tagore, Aristotle, Shakespeare and John Keats** had negligible formal education. Pure intuition was their prime asset. The original ideas and hypothesis of the greatest scientists too are intuitive flashes of pure consciousness in the first place. While **logic**, intellect and reasoning can help us to **see what is wrong and what is right**, it does not give us capability to shun what is wrong and pursue/follow that is right.

When we say feelings we automatically link them with heart. Thus **purification of heart** (chitta-shuddhi) is required for inculcating Human Values. A **consistent effort through introspection** for transformation of emotions from present state to noble emotion is required. Mind-stilling exercise or **meditation** (Dhyana) helps in self-introspection and transformation.

1. As **Christ** Says: **Blessed are those who are pure in heart.**
2. **Sri Aurobindo**: An unpurified heart, an unpurified senses, an unpurified life confuse the understanding, disturb its data, distort its conclusions, darken its seeing, misapply its knowledge. So the power of brain is pure heart, or pure character.

ROLE OF EDUCATIONAL INSTITUTIONS IN INCULCATING VALUES

There is a growing concern in recent times about teaching values through the institution of school. It is also very well accepted that **whatever the teachers do** inside and outside the classroom, their **covert and overt behaviours**, have a definite impact on the students' mind. This ultimately has a bearing on the quality of education imparted to the students. A large number of research studies in education have supported the idea that the **school and its teachers are instrumental** in the formation and transformation of values among the students, at every level of school education. **Teachers have to make deliberate efforts** to transform the learning of values to value education of the children. This implies that **teachers have to adopt**

certain theories, principles, viewpoints to inculcate values. These strategies adopted by teachers are termed as **models of value education**.

Teachers have a crucial role to play, through selected **pedagogical practices** (planned and unplanned), to inculcate values in the students. **What** (curriculum) and **how** (pedagogy) of teaching, are important considerations for inculcation of values in students. Let us examine some models of value education and have some understanding of the term 'values'. These will help us understanding **what role an educational institution can play** in inculcating values:

Rationale Building Model

This model focuses on the definition of values, types of values, how teachers take value or moral decisions in class and how teachers guide students in developing the ability for critical thinking in dealing with moral issues. It **describes values as standards or principles for judging worth**. They are the criteria for judging people, ideas, actions, objects, situations, and events. These can be **good and desirable** or **bad and undesirable** or somewhere in between.

As per this model, **values can be explained, analyzed and compared** with other values. For example, **punctuality** is a value and not a feeling which can be compared with others. Also the values are **reflected through our decisions and actions** and exist in the mind independent of ourselves or our awareness. For example, you may value **cleanliness** but not practice it always. Further the **values are not absolute but exist on a continuum** with two extremes. For example a person cannot be honest always or dishonest all the time. A person's behaviour may vary across a continuum of which honesty and dishonesty are the two extremes.

Further there is a difference between a **value and value judgement**. We make a value judgement on the basis of a value. For example when a parent tells his child to **keep the house clean**, it is a value judgement, based on the value of cleanliness which emerges from paternal authority. Other criteria for supporting a value judgement can be **social order or institutional authority**. Values cannot be understood in isolation, as they are **part of an entire value system** and one value has a bearing on the other. They are to be understood as **interlocking parts of a total value network** rather than as self-contained units.

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For example, the values of liberty and equality **impinge on each other**. The **value of liberty** allows the individual to exercise self expression and freedom. The **value of equality** guarantees the individual same access to public commodities. Now the value of equality can have a limiting effect on the value of liberty. For example, when we say that **socially a physically disadvantaged child** should be given preferential treatment; it restricts the access of educational opportunities of the normal.

This model emphasizes the **moral value of human dignity**. He believes that it is the basic value which **sustains a democratic society**. Democratic principles are founded on the value of human dignity, i.e. **respect of individuals**, and their rights to freedom, self-determination, and decision-making. It implies that **all human beings are autonomous** and have the right for decision making. Hence a teacher also must inculcate this value among the students by enabling them to think as per their free will and take decisions based on their own logic and rationale. This way a teacher will **develop essential democratic values in the students** and help them to achieve the fundamental purpose of education, i.e. the ability to think and act rationally

Consideration Model

Rationale building model emphasizes the concepts of reasoning, judgment and rational thinking based on values. It looks at different forms of morality. However it is important to examine values like honesty, punctuality, cooperation in relation to the others and the **situation in totality** in which the act is performed. Consideration Model **takes into account a person's life style** when relating to the self and others around. The basis of this model is the belief that **living for others is truly the essence of life**. Such an attitude will keep the individual away from all negative tendencies like hatred, distrust, ego-centricism, selfishness, narcissism etc. It will cultivate in him/her the **desire to work for others** and derive a sense of reward that will **motivate the individuals to "give and receive love**, respect and dignity of the self and others".

This model gives a "**Teacher's Guide to Lifeline**", entitled "Learning to Care". This was based on an intensive study of **adolescent student's need**. On the basis of this study a common view of the good and bad values was evolved. The students were asked to cite such incidents when they were treated nicely and those when they were treated badly by adults. They observed that **positive incidents showed a consideration for others** and was categorized as good treatment. For example **shared responsibility** was taken as a good value & domination as a bad one.

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The **fundamental human need is to get along with others**, to love and to be loved. The findings also brought to focus that most students admired the values of **consistent behaviours** (i.e. practicing what was preached) and could discriminate between **dogma and conviction and firmness** and stubbornness. The study concluded that values are learned by **observing how others behave with us** and also how we relate to others. **Caring for others** is the most important value to be learned, and for this he emphasizes observational learning and social modeling.

Value Clarification Model

The value clarification model is based on a premise which **opposes the method of indoctrination** as an approach to value education. It has also been discussed earlier that **values cannot be considered as fixed entities** or universal truths but rather as changing and evolving under different circumstances.

Students are required to make **many value choices and value decisions**, considering the democratic set up in which they live. The **influence of home, school, peers and society**, tend to create in them confusion and conflict when they are to make a choice of value or a value judgment. However, students do also imbibe values through the **unstated or hidden curriculum**, and this often leads them into a confused state while taking value decisions. The model aims to minimize the confusion and promote value choices through a process called "**valuing process**".

The "Valuing Process" focuses on the **use of reason in determination of values** as opposed to the process of indoctrination. There are **four key elements** underlying the valuing process. These are explained below as:

- i **Focus on life**: Students are required to focus on relevant life issues and understand how their personal choices reflect their hierarchy of values.
- ii. **Accepting What is**: Students should be encouraged to accept themselves and the situation around them and be honest with themselves.
- iii **An Invitation to Reflect further**: Once the student accepts the self and the surroundings situation, they should be encouraged to reflect on the values they have accepted. The teacher can further strengthen the choices made by providing more awareness of what the person cherishes and prizes in their routine activities.
- iv **Nourishment of Personal Power**: through the repeated process of value clarification, the individual gains a sense of personal direction of fulfillment.

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According to this approach, if individuals are clear about the relationship between themselves and the society, then they **develop positive values and display consistent behaviour**. Those who are confused about their position and understanding of self, such individuals show negative attributes like being indifferent over conforming or display inconsistent behaviour patterns. The value clarification model is an approach that provides an **educational solution to reduce value confusions** through the valuing process.

Value Analysis Model

Value Analysis Approach resembles the Rationale Building Approach, since "both focuses on the **philosophic underpinnings of value education** both appreciate centrality of conflict in making decisions about values and both tend to emphasize the controversial public issues". The major difference in the two models is that the value analysis model **emphasizes pedagogy**. In this approach students learn the process of making moral decisions by proceeding in a systematic manner.

Value Analysis Model believes that in **value criteria**, values are ascribed to a given class of conditions. For example, it is wrong to speak lies, kill, or cheat etc. but the same value criterion may not apply in all circumstances. For example deceiving others may be right when it is a question of saving a life or when larger interests of a country (like its security) are at stake. Hence a **value criterion may not be equally valid** in all the circumstances, all the time.

Value criteria give positive or negative "valences" to facts. He has cited the example of **euthanasia** (mercy killing). It is accepted that 'killing is wrong'. This attaches a negative valence to the fact that euthanasia involves killing. Here a negative evaluation of the act of euthanasia is involved hence decision becomes difficult. The evaluators need to balance the positive and negative facts, before taking decisions. The task becomes difficult when **conflicting principles or valences** become associated with the object or facts. For example proposition of the **US withdrawing from war in Vietnam**. A nation ought not to be involved in a civil to save a country from repressive government if that involvement increases the level of lulling in war and diverts the nation's attention from pressing social problems.

ARE HUMAN VALUES OBJECTIVE OR SUBJECTIVE

The debate is mainly centered on the question **if human values are objective or determined by subjective factors** like culture and society. The question that we will pose now is to know if there are **objective morals values**. Those who say 'yes' are known as **moral objectivists** in philosophy. Those who say 'no' are the **anti-objectivists or subjectivists**. But what do we understand by "objective" values? In order to understand this, it is useful to make a distinction, concerning values, between the **model of perception** and the **model of the taste**.

According to the **model of perception** defended by the objectivists, **something is desired or approved, because it has a value**. There are things in the world which have values and it is of this fact that we desire them. According to the **model of taste** upheld the subjectivists is the good, **a thing has a value because it is desired**. It is desire that gives foundation to value. Indeed, the partisans of these two models agree on the fact that there is a **logical equivalence** between desires and values: it is commonsense to say that **we prefer good to evil**, that we do not like that which has a negative but like that which has a positive value. If something is desired, it has a positive value for the one who desires it and if something has a positive value; it is desired by the one who apprehends it. It would then be conceptually inconsistent to say that one desires something that has a negative value.

If one admits this equivalence between desire and value, then the task is to know **which of the two is most fundamental**. For the partisans of the model of perception, **value is more fundamental** than desire, while for the partisans of the model taste, **desire is more fundamental** than value. It is to be noted that desire should not be understood in a very narrow sense of the term, but it should be understood largely so as to include preference, approval, appreciation, emotion, etc. The idea is that we have a **pro-attitude** in relation to something if and only if we **attribute a positive value to it**.

Let us then try to define **objective value**: A value is objective if it is **more fundamental than the pro-attitudes** in relation to it, i.e., if it exists independently of our desires, preferences, emotions etc. **Anti-objectivist approach to ethics** denies that there are objective values or norms. We tend to think that infanticide is bad placing it on equal parlance with "snow is white". This is precisely what the anti-objectivists reject: not that they hold infanticide as good. For them, infanticide *in itself* is neither good; it is not independent of our pro-attitudes.

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Anti-objectivism adopts a position which may be called **relativism**, in a large sense of the term. Relativism is a thesis which holds that **values depend on individual or collective attitude towards them**. We have already seen that values are often **classified into three types**: epistemic values (true, false), aesthetic values (beautiful, ugly) and ethical values (good, bad). There are also three corresponding types of relativism. Epistemic relativism holds that the claim of truth value of statements depend on individuals or group. Aesthetic relativism holds that what is beautiful or ugly depends on people or cultures. **Moral relativism**, which is of interest to us here, supports that **what is good or bad depends on individuals or cultural groups**.

CASE STUDIES

- 1. You belong to a middle class family looking badly for a job. Due to global financial crisis, you could not find any employment since last one year. After a lot of efforts, you got an interview call from a good company. While going for interview, you found a motor cyclist who has met a serious accident with a truck and he is struggling for life. None of the persons is ready to help the victim for fear of police. It is expected that if someone takes him to hospital immediately, his life will be saved. What will you do and why?**

Line of thinking:

- Nothing is more important than saving a life- this is the most prominent human value.
 - However, securing a livelihood is very important for you.
 - You must first call police, ask for the help from the on-lookers, and try everything possible if a help could come.
 - In case you fail to get help, you must take the victim to hospital. Call the family/ relatives of the victim if you could secure their numbers.
 - After admitting the victim, you must go for interview.
 - If you are late, you can narrate the story to the interviewer. Your action will definitely be appreciated.
 - If it is not appreciated or you don't get the chance to appear in interview, you must be happy that you have done something much bigger than just a livelihood.
 - Remember that you will get ample chances to appear for interviews, but the life that you helped couldn't get another if you didn't help it.
-
- 2. You are an artist. You created some piece of work and want to get it copyright/ patented. After completing all your formalities, you submit it to the competent authority for granting you the same. Even after the expiry of one year beyond the prescribed period of grant of copyright, you did not get**

your work copyright. You went to the concerned person asking for the reasons for not granting the same, but you couldn't get any concrete reply. You could smell that the concerned officer wants to take some bribe but is not directly asking for it. What will you do?

Line of thinking:

- a. This is a common practice in government offices.
 - b. There is no need to panic or take any action in haste.
 - c. As there is specific time for grant of such approvals, the best way available with you is write an application under Right to Information.
 - d. There is a designated officer in every department to accept such applications. Your application cannot be denied by him.
 - e. You ask for the reasons for delay of approval in the application.
 - f. You will get reply in 30 days. If the reasons are due to some technical issues, you can resolve them; otherwise they are bound to give you approval.
 - g. In case you don't get a proper reply, you can approach the higher authorities.
- 3. You are an officer in-charge of a delegation which went for the inspection of a flood devastated area in Uttarakhand. You come across a huge no. of pilgrims and tourists who are caught there due to complete failure of the road network. You also found dead bodies floating in the river, and the broken parts of bodies scattered here and there. The people are in extreme trauma. Once you reach close to a group of people to ask about their problems, they start abusing you and the administration. What will be your reaction to the situation and what will you do to improve the situation there?**

Line of thinking:

- a. Such disasters create huge trauma among people who generally lose their near and dear ones and suffer due to inadequate facilities.
- b. The anger among people is natural.

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- c. Such times require you to behave in a highly emotionally mature manner. Emotional intelligence has a major role to play here.
 - d. Even if the people are using unacceptable language, you need to show a high degree of patience so that the crowd does not take the shape of a mob and create greater law and order problem.
 - e. You need to associate yourself with the suffering majority so that they must feel that you have a concern for them.
 - f. You must put best step forward to resolve their problems as much as you can.
 - g. If you are able to feel their problems, you will definitely be able to motivate them to participate in government efforts and help themselves.
 - h. Don't forget, such traumatic situations are the testing times for those having authorities.
- 4. You are an upright IAS officer with high ethical values. You are married to a woman who is extremely extravagant. Your salary is sufficient only to fulfill your everyday needs. This has created an unhealthy atmosphere at your home. Despite your constant efforts to convince her, she does not understand your position. The everyday fights at home have started affecting your performance at office, making you irritated all the time. You don't want to compromise on your values, yet you are finding yourself helpless. What will you do?**

Line of thinking:

- a. This kind of situation is faced by a huge number of people in civil services, especially since last 20 years after the advent of materialism and consumerism in Indian society.
- b. This has also become one of the major reasons for corruption in the services as people take bribe to fulfill their desires.
- c. This requires a high degree of patience and maturity on your part to ensure that while you don't compromise your values; your relations at home are healthy too.

- d. You must encourage her to work and earn something for herself apart from what you earn. It will make her understand the value of money and keep her busy in her work.
 - e. You need to involve your families to make her understand your limitations. Consulting a psychologist can also help.
 - f. You must also make efforts to take her to some yoga camps or religious events or may ask to follow some religious gurus whose sermons help people to become less materialistic.
 - g. Gifting her some books of moral philosophers like Vivekananda or Gandhi can also help her lot to understand the true meaning of life.
 - h. Finally, in case all your efforts have failed, you may ask her for divorce so that the values of both of you are not compromised. However it must be the last option left with you.
- 5. You are a team leader of a construction project having a supervisor and some labour under you. Another colleague of yours is handling a similar project with similar team under him. The supervisor under you is highly hard working and result oriented, and he has exceeded your expectations at work; however, he is habitual of taking petty commissions (*hafta*) from the labour. Your other colleague is jealous of the performance of your team and he has made the commission taken by your subordinate as a big issue in front of the senior management. How will you handle this situation?**

Line of thinking:

- a. Getting good people who are committed to work and are results oriented is very difficult. You need to protect you supervisor.
- b. Ethically, taking commissions form labour is wrong and must not be allowed under any circumstances.
- c. If your supervisor is taking it out of shear habit, then you must make him understand that this habit is wrong and it will hamper his creditability in long run. You must tell him the importance of integrity in life.

- d. If he is taking the commissions due to some financial problem, you must try to resolve it either personally or devise some incentives system for those who are delivering the results.
 - e. You must accept the responsibility of the wrong acts done by your team and ensure the senior management that such acts shall not happen in future. To stick to your assurance, you must devise some system that these incidences do not take place in future.
- 6. A SDO of an electricity department is asking for bribe for providing you the electricity connection at your home. You are not willing to accept his undue demand. Despite your consistent efforts, you failed to get your connection. Finally you plan to write an application under RTI asking the department the reasons for delay in connection. When you go to the SDO, he refuses to accept the application on the ground that it is ambiguous. He further promises for the connection in next few days. What will be your line of action?**

Line of thinking:

- a. Firstly, nobody can refuse for accepting the application under RTI.
 - b. You can ask the SDO to give you in writing that he won't accept the application and also the grounds on which he is not receiving it. If he refuses to do so, you can approach the higher authorities.
 - c. You can also ask him about what is the ambiguity and rewrite the application in more concrete terms and then submit to the SDO again.
 - d. Another option is if he is assuring you of connection in next few days, you can ask exactly the date on which it will be supplied. In case, he doesn't supply the same on the promised date, your option of writing an application under RTI is open to you.
 - e. In any case, you must not accept his demand for bribe.
- 7. In an earthquake that devastated the Ladakh area of the state of Jammu and Kashmir, your house also was destroyed. All the members of your family are missing as it happened to hundreds of families living there. You as the Deputy Commissioner of that area have huge responsibilities as the disaster**

management coordinator. Though you have the responsibilities towards your family, you have to look after your official duties too. The missing members have broken you from inside, yet you cannot overlook the efforts you need to put in. In such a scenario, how will you manage yourself and your work so that while tendering your responsibilities towards your family, you don't compromise the responsibilities towards your office too?

Line of thinking:

- a. It requires highest degree of emotional maturity on your part.
- b. Family is the strength of any person especially when you are passing through such a tough phase. If your family is lost, the time becomes tougher.
- c. You must take care of the responsibilities of your office as are needed from you.
- d. However, you should also place one of your subordinates with the responsibility of rescuing your family members.
- e. However, you must not be biased in your efforts in rescuing the general public and your family. The efforts to rescue people should be based on the level of devastation that has taken place in different areas.
- f. It must be kept in mind that if you demonstrate a good amount of emotional intelligence, you will be able to rescue not only your family but a high number of general public and save their lives.
- g. Presence of mind is extremely important in such disasters to coordinate with different departments involved in rescue operations.

8. Ram Prasad is an extremely honest officer. He has never accepted bribe. He completes his works with dedication and never harasses people. A person whose work Ram Prasad refuses to do considering it illegitimate, lodges a complaint against him, accusing him for demanding bribe and misuse of office. In an inquiry that was instituted against Ram Prasad, it was found that the allegations raised by the person were false. However, it was found that Ram Prasad regularly uses official car for his personal works. He also freely takes the office stationary for his children for their use. If you were the investigating officer of this inquiry, what would you do? Would you close the

case without going deeper into the investigation as Ram Prasad is a dedicated person to people or would you convict him for the findings you have made?

Line of thinking:

- a. Having honest and dedicated people in administration is of paramount importance today. We don't have many of them in India.
- b. However, service rules do not allow any person for using office cars or stationary for personal uses.
- c. Practically, it is very difficult to distinguish between the private and public work as far as petty items like stationary or office car are concerned.
- d. Though a watertight division between their public or private uses is neither possible nor desirable, it is advisable that their private use must be limited as far as possible.
- e. As Ram Prasad is otherwise an honest and dedicated person, he must not be penalized for petty mistakes he has committed. It will give a big blow to his morale.
- f. He should not be dragged into deeper investigation. However a warning for private use of these items must be given.

9. Kewal is a young and dynamic IAS officer who is willing to take the risks in life. As far the powerful and rich people who fall under his administration are concerned, he does their works very fast. He never asks for money from them but he accepts their gifts. For the others, he does the work in normal routine without regular bureaucratic delays, but never asks for bribe from anyone. Do you think that what Kewal is doing is ethically right?

Line of thinking:

- a. Doing someone's work faster than normal routine is not wrong. But who are these 'privileged' people is important.
- b. If Kewal was doing the works of poorer and needy people faster also, things would have been different. Kewal is doing the works of rich & powerful people expecting gifts from them, this is ethically wrong.

c. This falls under one of the categories of corruption. Therefore, Kewal, whether he asks for bribe or not, is corrupt. He is accepting gifts in lieu of some work done.

10. Ishu Sindhu is an extremely honest and committed IPS officer posted in a district of Maharashtra. He dared to get hold of one of the ruling party powerful MLA in a case involving demand of extortion. Through his commitment, he was able to put the convicted MLA behind the bars. However, as expected, he had to face the heat of the ruling party. He was transferred to the Naxalites district of the state. Looking at the case of Ishu Sindhu, do you think that the civil servants should have courage but at the same time must be diplomatic in handling issues concerning the politicians in general and the ruling party in particular?

Line of thinking:

- a. The path of truthfulness is not easier. It is full of thorns. Only those who are willing to follow this path have the courage to take on the mighty.
- b. India is the country where Gandhi was born, who shook the foundations of mighty British Empire.
- c. Being diplomatic helps in many cases, but where crime is involved; diplomacy is not the right path.
- d. What Ishu Sindhu has done is an act of courage which is deeply required in Indian police.