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Q10

**Case study. Saraswati was a successful IT professional in USA. Moved by patriotic sense of doing something for the country she returned to India. Together with some other like-minded friends, she formed an NGO to build a school for a poor rural community. The objective of the school was to provide the best quality modern education at a nominal cost. She soon discovered that she has to seek permission from a number of Government agencies. The rules and procedures were quite confusing and cumbersome. What frustrated her most were delays, callous attitude of officials and constant demand for bribes. Her experience and the experience of many others like her have deterred people from taking up social service projects. A measure of Government control over voluntary social work is necessary. But it should not be exercised in a coercive a corrupt manner. What measures can you suggest to ensure that due control is exercised but well meaning, honest NGO efforts are not thwarted?**

UPSC Civil Services Mains 2016 · GS IV · 20 marks · Ethics Case Studies

Case Studies on above issues.

**Core demand of the question**

- Saraswati returned from the USA to build a low-cost quality rural school through an NGO. Permissions were confusing, delayed, callous and often tied to bribes, which deters honest social work. Government control over voluntary work is necessary but should not be coercive or corrupt. Suggest measures so that due control is exercised while honest NGO efforts are not thwarted

**Revision summary**

Saraswati's school met confusion, delay, callousness and bribe demands.

Control over NGOs is justified for money, land and child safety; coercion and corruption are not.

Paying the tout, or abolishing regulation, both fail.

Measures include a statutory checklist, single window, time limits, RTI tracking, risk-based scrutiny, e-payments, vigilance, and a facilitation cell.

Child-safety and accounts stay strict; invented windows must go.

## Introduction

A patriot with a school project meets a forest of windows, delay and a bribe culture. The State is right to watch money, land and children. It is wrong to turn that watch into a toll gate. The answer is control that is clear, time-bound and clean.

## Body

### Stakeholders

- Saraswati, her colleagues, donors, and the rural children who need the school.
- Honest NGOs that will copy her exit if the toll continues.
- Corrupt officials and touts who price delay.
- Children as a vulnerable class, who need real safeguards against fake charities.
- The education, land, charity-commissioner and tax offices that hold lawful pieces of clearance.
- The wider public, which funds exemptions and must not be looted through shell NGOs.

### Ethical issues and values

- **Integrity versus extraction:** a bribe is not a "speed fee"; it is a tax on altruism.
- **Accountability versus harassment:** knowing who runs a school is legitimate; twelve unclear windows are not.
- **Compassion:** rural children pay when the honest founder gives up.
- **Rule of law:** equal procedure for a returned professional and for a well-connected trust.
- **Values:** integrity, responsiveness, transparency, empathy, and fiduciary care for minors.

### Options

- **Option 1:** Tell her to pay and "be practical".
- **Merit:** the school might open this year.
- **Demerit:** you train a market in permissions and push honest people out.
- **Option 2:** Abolish all NGO regulation.
- **Merit:** speed.
- **Demerit:** fake schools, foreign-fund crime, and child-safety holes.
- **Option 3:** Keep control, strip it of confusion, delay and cash.

### Action: measures that keep control and spare honest work

- **Single-window, published checklist:** one portal listing every approval for a non-profit school, with the statute cited, so "confusion" cannot be a business model.
- Time limits and deemed approval where the **Second Administrative Reforms Commission** logic of citizen charters applies, with a named officer and a penalty for delay, not for the applicant.
- **Online tracking and the Right to Information Act, 2005:** every file number public, every query in writing. Oral objections should not count.
- **Risk-based regulation:** light and fast for a small rural school with clean accounts; heavy scrutiny for large foreign funds, land banks and boarding hostels.
- **Integrity:** CCTV at enquiry counters, e-payments only, rotation, and vigilance traps on repeat "facilitators". The **Prevention of Corruption Act, 1988** must reach the tout and the officer.
- **Standard documents:** model trust deed, fire and building norms in plain language, and a help desk that is not a tout in uniform.

- Social audit and third-party accreditation for those who want a quality mark, instead of forty serial signatures.
- Protect whistle-blowers who record a bribe demand; a sting that is lawful is better than a sermon.
- Separate child-safety control (identity of staff, no corporal cruelty, grievance) from rent-seeking on land conversion.
- **FCRA and tax exemption should be predictable:** published queries, speaking orders, and no sudden freeze without reasons - control, not theatre. (The **Foreign Contribution (Regulation) Act, 2010** is the lawful frame; it must not be a silent punishment tool.)
- **Local administration:** a District Magistrate NGO facilitation cell with a weekly sitting, minutes published.
- Judicial and Lokayukta routes for delay as a service failure, not only as a private writ by one exhausted founder.
- **Civic education inside departments:** social work is not an enemy of the State; a school that works reduces the State's later bill.

### What Saraswati should still accept

- True building safety, true teacher norms, true accounts. Due control is not "whatever the clerk invents today".

### Flow diagram

Honest Honest NGO school school -> Due State control  
 Due State control -> Single window and time limits  
 Due State control -> Heavier watch on money and child safety  
 Delay and bribe -> Honest founders quit  
 Single window and time limits -> School opens lawfully

### Conclusion

The State must know who teaches whose children and whose money. It must not sell that knowledge as delay. Single windows, clocks on files, risk-based scrutiny, e-trails and anti-bribe enforcement protect both the child and the honest NGO.

### Facts & figures

#### Right to Information Act, 2005

Lets an applicant pull the permission file into the light so that oral delay loses its market.

#### Prevention of Corruption Act, 1988

The criminal frame for a public servant who sells a signature that the law already requires them to give or refuse with reasons.

#### Foreign Contribution (Regulation) Act, 2010

Regulates foreign funds to associations; a legitimate control that still needs speaking orders and no bribe culture.

**Second Administrative Reforms Commission on citizen charters**

Time-bound service and named responsibility; the same logic applies to NGO permissions.

**Right of Children to Free and Compulsory Education Act, 2009**

Sets norms for recognised schools; honest NGOs should meet these norms through a clear path, not a tout.

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